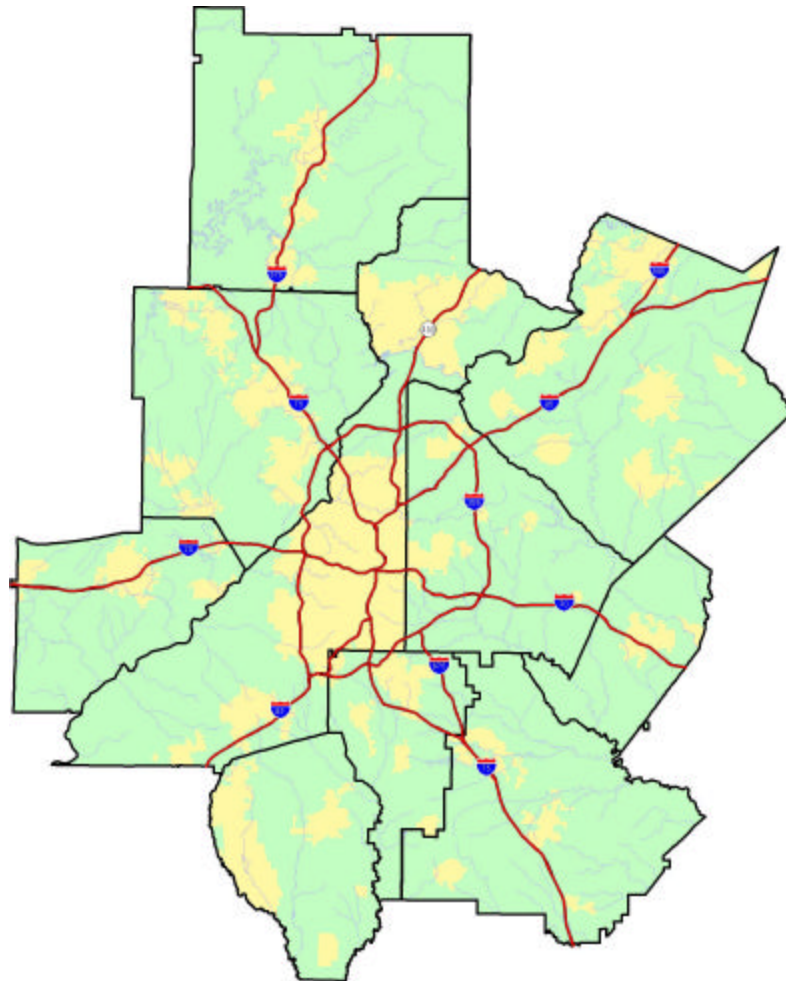




**Research Atlanta, Inc.**

Georgia State University  
Andrew Young School of Policy Studies

## **Open Space Acquisitions and Management Opportunities in the City of Atlanta and Adjacent Jurisdictions**



By Alycen Whiddon, Lee G. Ross III,  
Caleb Racicot and Laura Kraul

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# **Executive Summary**

## **I. Introduction**

The great cities of the world are distinguished by their public parks. The urban fabric of New York, Barcelona, Berlin, Moscow, Paris, Rome, Sydney, and Shanghai are all woven around great parks. Yet, with all of Atlanta's outstanding achievements, the City and the region have a notably undistinguished park system. In a study conducted by the Trust for Public Land and the Urban Land Institute, Atlanta ranks near the bottom of the nation's largest 25 cities in acreage of parkland per capita with 7.3 acres for every 1,000 residents. Compare that to Austin, Texas' 39 acres per 1,000 residents or Oklahoma City's 43 acres per 1,000 residents and it becomes clear that something is amiss in metro Atlanta.

This study identifies the obstacles to acquiring and maintaining open and green spaces in the metro Atlanta region. Addressing open space shortages in metro Atlanta is a sizable task. This study could be considered the first step in a larger process. Time spent researching the various obstacles and opportunities regarding open space acquisition raised many questions that are beyond the scope of this project. A second phase might test the recommendations made in this phase by working with local officials on a few select projects, and begin to identify critical pieces of property in metro Atlanta that must be protected from development. A detailed inventory of significant open space and natural resources in the metro area that includes the existing inventory of land inside of Interstate 285 should be considered either as a separate study or included in this recommended second phase.

## **II. Findings from the Interview Process**

Individual interviews were conducted with 38 community leaders and open space advocates, including Directors of City and County Parks and Planning Departments, State agencies, non-profit organizations, and developers. Nearly all respondents are in agreement that there is a tremendous need for accessible open space and parkland in metro Atlanta. Lack of effective and efficient leadership and the high cost of land and maintenance are the primary impediments to acquiring and maintaining open and green space as listed by respondents. While all interviewees agree that "more money", through better funding, would improve the probability of acquiring and maintaining new land, few see it as a panacea. Respondents rank "effective leadership" and "funding" as the top two things that can overcome the impediments.

The positive impact on economic development efforts is nearly universally mentioned as one of the top five reasons for providing open and green space in a development. This is viewed as a positive both to the home or business owner as well as the developer.

Regionalism, in the form of a government-based metro-wide parks agency, does not have much support from those interviewed, due to the perception that "it is unworkable." Some respondents feel that a regionally focused entity is a good

concept, but support dwindles rapidly when a discussion of the specific complexities and interests of the region's various jurisdictions are considered. Respondents in all groups view the possibility of successful multi-county efforts pessimistically. However, nearly all respondents support service consolidation between county governments and cities within these counties.

The most common open space needs expressed were: large, centralized parks; nature preserves; active recreational areas; and multi-use trails, all being a part of a linked system of parks and greenways. There is also widespread and strong support for cleaning up the Chattahoochee River, improving access to and from the river, and making it more of a centerpiece to the city/region. More than half of the respondents expressed an interest in seeing new facilities or park sites, while slightly more than a third were interested in seeing jurisdictions spend funds to improve existing facilities. Respondents are very willing to volunteer their time, experience and energy to work towards a greener metro Atlanta. Examples of organizations interested in opportunities for collaboration include Metropolitan North Georgia Water Planning District (MNGWPD), Atlanta Regional Commission, Park Pride, Georgia Power, The Trust for Public Land and the PATH Foundation.

### **III. Examples of Current Open Space Planning Efforts**

#### **Metropolitan Atlanta**

Metro counties were examined to determine what efforts are currently being made to improve the amount and quality of open and green space in metro Atlanta. All counties are participating in the "Georgia Greenspace Program", and all have developed or are developing comprehensive plans that address parks, open and green spaces. There is a consensus that metro Atlanta must deal with the negative impact of sprawling growth on the quality of life in the region. Whether it is in the most densely developed area (DeKalb County) or the most sparsely populated (Rockdale County), efforts to preserve large tracts of land are ongoing and being lead by appointed and elected officials. There is a commitment to cross-jurisdictional cooperation as demonstrated in the efforts of the Chattahoochee Hill Country Alliance and the Olmsted Linear Park Alliance, and the renovation of the Druid Hills Parkway.

#### **Other Cities**

Nine comparable U.S. cities were researched regarding their structure and funding for public open space/park acquisition and maintenance. The cities studied range from low-density municipalities similar to Atlanta (Denver, Indianapolis and Charlotte) to those with medium (Minneapolis, Portland and Seattle) and significantly higher population densities (Chicago, Philadelphia and Miami).

Cities that appear to have the strongest parks and open space programs are those with a history of strong governmental leadership and constituent support. Of the nine cities, six utilize a Parks and Recreation Department within the city administration and, with the exception of Portland, a Park Board of Commissioners/Directors oversees these departments. Generally under-funded, these organizations have looked to the private sector, i.e. nonprofit foundations and volunteers, for both additional funding and maintenance. City governments

are also supporting business improvement district efforts and their takeover of some park/open space maintenance.

Some localities have been inventive in their ability to acquire, provide and fund public open space. The cities profiled used mechanisms such as building vertically, developing brownfields and vacant lots, piggybacking recreational trails and greenways on new roadways or old rail-lines, identifying “unused” rights-of-way, collecting developer impact fees, and using special assessments.

#### **IV. Observations, Issues and Impediments**

The primary impediments to cities and counties acquiring and maintaining more public open space are a **lack of effective leadership on the part of elected officials, a lack of available funds for acquisition and ongoing maintenance, and the high cost of available land.** The cost of maintaining the parks we all use increases just like the cost of everything else. In metro Atlanta, parks departments are facing decreased budgets. In the urbanized areas of DeKalb County and the City of Atlanta, the impact of budget cuts is particularly acute. In suburban and rural areas the impact is not as dramatic, and in the case of Gwinnett and Cobb Counties, leaders feel that funding levels for maintenance are appropriate and satisfactory.

Effectiveness of administration in addressing the above issues varies widely through the metro area. Gwinnett County leads the way in setting an example to follow by aggressive parkland acquisition and facility development programs funded by a dedicated sales tax. Additionally, Gwinnett County utilizes private contractors whenever appropriate. Conversely in Atlanta, Mayor Franklin’s Parks and Open Space Task Force acknowledged a 20-year history of decline of the City’s Department of Parks, Recreation and Cultural Affairs resources and maintenance capabilities, resulting in a lack of citizen confidence. The Task Force recommended that an entirely new parks district be created with taxing and bonding powers and some private sector board members, led by a visionary and seasoned park professional. The proposed new authority will initially have many obstacles. Private and non-profit organizations and individuals may continue to be reluctant to invest time and money into Atlanta parks until a strong track record has been established with the new agency.

#### **V. Options for Open Space Acquisition/Maintenance**

Voters in most parts of the country have responded overwhelmingly in favor of spending their tax dollars for acquisition and preservation of open space. In the last five years, bond measures directed at acquiring land for open space have been approved with increasing prevalence. In 1998, voters nationwide passed 72% of the 240 local and state ballot measures (totaling \$7.5 billion in funding) for land conservation and parks.<sup>1</sup> Additional funding has been allocated through numerous

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<sup>1</sup> Lerner, Steve and William Poole. *The Economic Benefits of Parks and Open Space*. San Francisco: The Trust for Public Land, 1999: p15.

state and county programs, such as special interest sales taxes and real estate taxes.

New land use techniques and zoning regulations also appear to be increasingly geared towards “land protection and use preservation”. Purchase of Development Rights, Transfer of Development Rights, Cluster Zoning, Civic Space Requirements and Open Space Incentives are becoming more common, as are Conservation Subdivisions, farmland protection programs and semi-private open space incentives.

Land development codes that require the provision of parks and open space are a jurisdiction’s single most effective and cost efficient mechanism for providing safe, accessible, and sufficient public open space in high-growth areas. However, a survey of local land development code regulations requiring open space revealed that most are antiquated documents that do not serve their original intent. Instead, they create unusable and unattractive areas around individual buildings, which prescribe the continuation of sprawl and the worsening of existing environmental problems. Recently adopted codes, such as Conservation Subdivision Codes and Design Overlay District Codes are an improvement, but do not maximize open space benefits.

Effective administrative leadership is the key to a first-rate parks system. Examples of effective administrative practices include utilizing contracts with the private sector, tapping into a consistent funding source other than the General Fund, and actively seeking out collaborations with other local, state and federal governmental departments to combine compatible needs into a single project.

Possibilities for collaborating with non-profits, local, state and federal programs, and public and private recreational service providers are largely untapped. The ability to coordinate such partnerships is particularly absent within local governments, though there are a few excellent examples of successful collaborations. For example, the Cousins Foundation collaborated with the Atlanta Housing Authority to create a new community with first-class open space and recreational facilities including a golf course, a new Family YMCA, and a charter school.

Cross-jurisdictional collaboration within the metro Atlanta area is limited. One successful example that is instructive in its results is the renovation of the Olmsted Linear Parks in the Druid Hills section of Atlanta and DeKalb County. This project required the City of Atlanta and DeKalb County to coordinate the overall planning, design and construction of the sites. A large part of the success of the project can be attributed to the efforts of the non-profit Olmsted Linear Park Alliance (OLPA) and Park Pride. OLPA is made up of representatives from area neighborhoods, Atlanta and DeKalb park professionals. Park Pride is a volunteer organization that coordinates park improvement projects in Atlanta and DeKalb County.

## **VI. Recommendations**

Opportunities for open space protection are enormous. The following recommendations can and should be applied to all jurisdictions in metro Atlanta,

except where identified as relevant to specific jurisdictions. Priority actions include: supporting the continued funding of the Georgia Green-space Program (GGSP); being aggressive about acquiring open space ahead of development; identifying a dedicated funding source; identifying a single entity within jurisdictions to coordinate private donations and land and easement acquisition; contracting with the private sector for routine maintenance activities such as mowing; working in conjunction with the Metropolitan North Georgia Water Planning District and the State Environmental Protection Division (EPD), with support from others, to assist in the expansion of metro-area green space systems; encouraging the installation of interconnected multiuse trails; educating the public on the economic, environmental and private tax benefits of such a metro-wide green space system; and amending antiquated and ineffective Land Development Code regulations to accomplish green space goals.

The following summary of action items support the implementation of projects which address the most common open space needs expressed by the interview group:

- A. large, centralized parks
- B. nature preserves
- C. active recreational areas
- D. multi-use trails
- E. a metro-wide linked system of green space, including all the above.

## **Metro Wide Recommendations**

**1. Action Item:** Support the continued funding of the Georgia Greenspace Program. Metro Atlanta jurisdictions should work together to lobby the State Legislature and the Governors office to underscore the importance of continuing this program.

**2. Action Item:** Acquire open space ahead of development. Be aggressive about obtaining conservation and recreation easements and acquiring property that meets green space criteria. Create land banks of available properties for which there are no existing funds to develop.

**3. Action Item:** Jurisdictions, either at city or county/metro level, should hire an individual as the single point of contact for the coordination of land acquisition and acceptance of donations. This position should work with private entities to negotiate acquisition of open space on behalf of the governmental agency, but should be a civil service employee that is easily accessible and readily identifiable by the public. For example, in the past, a City of Atlanta point of contact worked with grassroots organizations and contracted with the Trust for Public Land to provide land acquisition services for certain projects. This step will have a major impact on the region's ability to respond to and facilitate inquiries regarding land donation and sale.

**4. Action Item:** Effect a region-wide collaboration between individual counties in establishing a regionally linked open space system, by utilizing floodplains and wetlands as a green space framework and identifying additional greenway linkages within and between counties.



- A. Work closely with the Metropolitan North Georgia Water Planning District and the City of Atlanta Consent Degree staff, taking advantage of their extensive data on floodplains and wetlands. Identify properties needed to create continuous green linkages between the green space framework and other parks, nature preserves and recreation areas.
  - B. Utilize non-profit land trusts, such as the Trust for Public Land and the Nature Conservancy, to negotiate conservation easements and acquisition of properties for the regional open space system.
  - C. Partner with non-profits, such as the PATH Foundation and others, to develop multi-use trails throughout the regional open space system.
  - D. Partner with Trees Atlanta to utilize their tree canopy inventory in identifying particular areas to preserve.
- 5. Action Item:** Educate the public on the economic, environmental and recreational values of open space, and on the tax opportunities related to donations and conservation and recreation easements, as a way of encouraging private support and participation in open space protection. Collaborate with various agencies and non-profits to implement the educational programs.
- 6. Action Item:** Produce legislation that amends local zoning codes to delete antiquated open space and setback regulations and replace with effective open space requirements. Open space regulations should meet social, recreational and environmental goals and reduce “wasted” open space that destroys rather than protects the environment. This could most effectively be accomplished by providing each county and municipality with specific legislation to be enacted. Zoning code regulations should address the following actions:
- A. Off-site option. Allow developers to meet a certain amount of the open space requirement by providing an equivalent open space off-site, at a location that has been identified as a future public park site.
  - B. Qualitative criteria for open space location and treatment. Require that open space meet certain qualitative criteria, which ensures economic, social, recreational and environmental value. For example, security is maximized when parks are adjacent to, and highly visible from, public streets. In retail and commercial centers, ground floor retail storefronts and restaurants adjacent to parks maximize the economic and social potential, and further ensure safety by increasing “eyes on the park” and pedestrian activity. Residential developments should ensure that open space is easily accessible to all residents and is designed to maximize the amount of usable recreational area. Environmentally sensitive or unique areas can be guaranteed protection through strict development standards.
  - C. Large property requirements. Increase open space criteria for larger sites, where open space is easier to provide and the need for public space is greater. Establish a threshold under which properties of a certain size, e.g. ¼ acre, have fewer requirements other than provision of generous, shaded, public sidewalks.
  - D. Create parks. Ensure the creation of public parks that can serve multiple functions, through zoning code requirements that stipulate the amount of open space dedicated to public parks.

- E. Public access. Open space is much more valuable to a community when public access is allowed. In commercial areas, public access should be required during all normal business hours. In residential areas, incentives should support public access for the purpose of providing an interconnected system of public lands.
  - F. Open space connectivity. Require connectivity between open spaces, including undeveloped parcels. The community should adopt a master plan that identifies where greenway connections can be made.
  - G. Conservation subdivisions and transfer of development rights: Establish minimum open space requirements for residential subdivisions. Allow developers the same number of residential units as otherwise permitted, clustered on the balance of the site. Require that a certain amount of open space have public access and that multi-use trails be provided through the site, which are further connected with other trails and parks.
- 7. Action Item:** Produce legislation, which amends local public works codes to incorporate the following requirements. This could most effectively be accomplished by providing each county and municipality with specific legislation that they need.
- A. Create greenways and multi-use trails within existing and future utility rights-of-way and easements.
  - B. Strengthen stream bank buffer regulations to require an expanded setback, where appropriate, for multi-use trails, and protect the buffer area through permanent environmental and recreational easements. Consider creating a special (increased) setback designation for location of multi-use trails along the Chattahoochee River.
  - C. Convert certain parking lot areas to open space. Define primary parking areas and overflow parking areas and have separate surface treatments and storm water requirements for each. Whereas primary areas may require conventional surfaces for durability, overflow areas can have pervious surfaces that are disconnected from storm water pipes, and are utilized for recreational purposes such as ball fields and courts, passive open space, greenway trails and special events.
- 8. Action Item:** Identify a sufficient dedicated funding source, such as a Special Purpose Local Option Sales Tax (SPLOST), a property tax, or an authority, such as the Fulton County Recreational Authority that has bonding and taxing powers, either at city, county, or metro level, to fund parks and green space acquisitions and improvements.
- 9. Action Item:** Private property owners and business owners should initiate parks and open space acquisition and development by working with local jurisdictions to utilize funds from Tax Allocation Districts and Community Improvement Districts.
- 10. Action Item:** Utilize GADOT's vast resources to implement public multi-use trails and routes and increase greenway linkages.

- A. Utilize all GADOT's allowable Federal funds for multi-use trails and routes.
  - B. Construct shaded sidewalks and bike routes as part of every new highway project and street improvement project in the region.
  - C. Promote and facilitate the rails-to-trails and rails-with-trails strategy, such as the popular Silver Comet Trail and the proposed Cultural Ring Corridor, by using GADOT's authority to acquire and develop such facilities.
- 11. Action Item:** Support the creation or identification of a private, non-profit organization, which will facilitate communications between Metro area non-profits and will facilitate coordination with Metro area jurisdictions.
- 12. Action Item:** Establish park endowments for both system-wide projects and for individual parks, to support ongoing maintenance and improvements.
- 13. Action Item:** Adopt legislation that gives all non-profits, which serve the public good as their mission, the same tax exempt status as churches. This will allow non-profit "green groups" and land trusts to land bank sensitive or important properties without the burden of paying property taxes. 1988 legislation exempts church property such as parking lots and administrative buildings.
- 14. Action Item:** Identify organizations, such as Park Pride, which recently expanded its focus to include parks and open space areas in DeKalb County as well as the City of Atlanta, to work closely with the Arthur M. Blank Family Foundation to identify a project within I-285 that has broad public support and is in keeping with the respective governments' goals according to the GGSP submitted plans.
- 15. Action Item:** The next step should be to test the recommendations made in this study by working with local officials on a few select projects. The projects should focus on land preservation initiatives that span jurisdictional lines and include organizations interested in/capable of coordinating and funding these projects. Areas suitable for large regional parks should also be identified; specifically, an "inside I-285" project should be identified as described above.

## **Specific City of Atlanta Recommendations**

- 1. Action Item:** Implement the recommendations of Mayor Franklin's Parks and Greenspace Task Force, which include:
- A. Create the Atlanta Parks District.
  - B. Double the acreage of parks and green space by 2012.
  - C. Raise \$400 million over 10 years to support parks and green space acquisition and development.
  - D. Build a large, centrally located "great" park with an outdoor event venue.

**2. Action Item:** The City of Atlanta, Department of Parks, Recreation and Cultural Affairs should:

- A. Support meeting the "Georgia Greenspace Program" goal of permanently protecting a minimum of 20% of a jurisdiction's green and open space within the mandatory (short) timeframe.
- B. Explore progressive ways of budgeting, allocation of manpower and privatization of some services. Test before the end of 2003.
- C. Test the cost effectiveness of privatization of certain parks maintenance activities by issuing a request for proposal for general lawn mowing, requiring that the governmental agencies currently providing this service submit one as well. Consider hiring private non-profit organizations such as churches to conduct basic maintenance.

**3. Action Item:** The City of Atlanta, Department of Planning and Community Development should:

- A. Work with other City Departments to identify a strategy for meeting the Georgia Greenspace Program goal of 20% green space.
- B. Develop realistic budgets for maintaining and programming any new pieces of property proposed to be added to the City's inventory.
- C. Establish a new position specifically to work with a private entity to handle the negotiation over price for any land being considered as future parks or open space. This is particularly important so that the City can negotiate fair market value of a piece of land without being subject to typical open record laws. This is a rare instance in which open record laws work against the greater public good because public knowledge of intentions to acquire land often leads to inflated sale prices. This position would also be the public contact point for any land acquisition or donation issues.

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**Definition:**

The following is the definition of “greenspace” in accordance with the State of Georgia, Code Section 36-22-12, Georgia Greenspace Program:

*“Greenspace” means permanently protected land and water, including agricultural and forestry land whose development rights have been severed from the property; that is in its undeveloped, natural state or that has been developed only to the extent consistent with, or is restored to be consistent with, one or more of the following goals:*

- 1. Water quality protection for rivers, streams, and lakes;*
- 2. Flood protection;*
- 3. Wetlands protection;*
- 4. Reduction of erosion through protection of steep slopes, areas with erodible soils, and stream banks;*
- 5. Protection of riparian buffers and other areas such as marsh hammocks that serve as natural habitat and corridors for native plant and animal species;*
- 6. Scenic protection;*
- 7. Protection of archeological and historic resources;*
- 8. Provision of recreation in the form of boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, skating, birding, riding horses, observing or photographing nature, picnicking, playing non-organized sports, or engaging in free play; and*
- 9. Connection of existing or planned areas contributing to the goals set out in this paragraph.*

Public access is not necessary for property to be counted as green space. Notwithstanding that certain uses are permissible on green space properties, the owner of such property must comply with all applicable federal, state and local regulations when determining what uses to allow on the property. Examples of such regulations are provisions of the federal Clean Water Act, the Georgia Soil Erosion and Sedimentation Act, and local development ordinances.

Based on the above definition of green space, certain uses will keep open space from being counted toward the local government’s green space goal and will make property ineligible for purchase with monies from the Georgia Greenspace Fund. Illustrative examples include, but are not limited to: sidewalks along roads or streets; areas which include fields for competitive sports, golf courses, swimming pools, amphitheatres, and capital improvements needed to support such facilities, such as parking lots and buildings; sewer- line rights-of-way, if the county has only the right to install and maintain the lines but does not have the right to protect riparian habitat or allow public recreational access within the right-of-way; and the surface area of manmade water bodies that are individually larger than 500 acres.

# I. Introduction

The great cities of the world are distinguished by their public parks. The urban fabric of New York, Barcelona, Berlin, Moscow, Paris, Rome, Sydney, and Shanghai are all woven around great parks. Yet, with all of Atlanta's outstanding achievements, the City and the region have a notably undistinguished park system. In a study conducted by the Trust for Public Land and the Urban Land Institute, Atlanta ranks near the bottom of the nations largest 25 cities in acreage of parkland per capita with 7.3 acres for every 1,000 residents. Compare that to Austin, Texas' 39 acres per 1,000 residents or Oklahoma City's 43 acres per 1,000 residents and it becomes clear that something is amiss in metro Atlanta.

This study identifies the obstacles to acquiring and maintaining open and green spaces in the metro Atlanta region. Addressing Open space shortages in metro Atlanta is a sizable task. This study could be considered the first step in a larger process. Time spent researching the various obstacles and opportunities regarding open space acquisition raised many questions that are beyond the scope of this project. A second phase might test the recommendations made in this phase by working with local officials on a few select projects, and begin to identify critical pieces of property in metro Atlanta that must be protected from development. A detailed inventory of significant open space and natural resources in the metro area that includes the existing inventory of land inside of Interstate 285 should be considered either as a separate study or included in this recommended second phase with a focus on a consensus plan of future development by the ten counties making up metro Atlanta.

One theme throughout this study, identified by the interview group, is the need for stronger leadership in the metro Atlanta region to address the lack of open space. Open space, for purposes of this study, is land that is generally undeveloped, and may include playgrounds, active recreational fields and plazas. More important to this study is open space that is publicly held and accessible. Atlanta is a "green city" and region and, as such, the perception of there being ample open and green spaces is somewhat misleading.

Metro Atlanta has been one of the fastest growing metro regions since 1990. While the City of Atlanta's population grew by 5% during this period, the metro region grew by 38.9% (source: US Census Bureau). Atlanta is well known as the poster child for urban sprawl.<sup>2</sup> This growth has transformed what was once a sparsely populated region into the eleventh largest metropolitan area in the United States. Public open space has not kept pace with this growth for many reasons. This paper explores opportunities for the Atlanta Region to find solutions to current public green space deficiencies and identify a strategy for the region's future growth.

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<sup>2</sup> Haya El Nasser and Paul Overberg, "[\*A comprehensive look at sprawl in America\*](#)" *USA Today*, February 22, 2001

## II. Findings from Interview Process

### *Survey Questions and Responses*

During the research process, interviews were conducted with 38 community leaders and open space advocates in the public and private sector, including Directors of City and County Parks and Planning Departments, State agencies, non-profit organizations, and developers, to assess their understanding of a variety of issues surrounding parks and open space in the Atlanta region. Interviews were both directed (i.e. specific questions) and open-ended (i.e. topics initiated by the respondents). The following summarizes key discoveries from our interviews.

#### *1. Does metro Atlanta need more open space and parkland?*

All respondents agreed that there is a tremendous need for more accessible open space and parkland in metro Atlanta. It is a common perception among respondents that Atlanta (the City as well as the region) lacks such spaces compared to cities of comparable size or standing. As is often the case with ‘common wisdom’, opinions are not necessarily based on identifiable formal studies.

#### *2. What are the top five impediments to acquiring and maintaining new open/green space in Metro Atlanta in general, and your area in specific?*

Lack of effective and efficient leadership and the high cost of land and maintenance are the primary themes expressed by respondents. Leadership falls into three categories. The first is that provided (or not provided) by elected leaders in metro Atlanta. The second is in reference to “the community,” which refers to residents of the region, and the third is the business community. Not all respondents distinguish between the business community and the community at large.

Other select opinions include:

- The priorities of elected officials tend to focus on other issues such as public safety, roads and “recreation centers”.
- Competing interests of conservationists, preservationists and active recreation advocates foster little consensus as to the direction leaders can follow.
- Regionally, business and governmental leaders focus on “making money” as opposed to ‘soft’ issues – those that are difficult to quantify but often the most important. An adjunct interview with a Marketing Research expert revealed that the most important issues are often the least amenable to quantitative measurement.
- Lack of professional management in parks and recreation departments and entities is a hindrance to implementation of bold ideas.
- There is no City of Atlanta office assigned to, or providing a clear process for, acquiring parkland.
- Public “NIMBY’s” have more influence, often negative, than more positively focused groups.



The high costs of land acquisition and maintenance of newly acquired land are almost universally accepted as a main impediment to the acquisition and maintenance of new open and green space in the metro area. This is reflected in the often-mentioned point of view that governmental resources are insufficient to acquire land and maintain it once acquired. There is an underlying sentiment that implies that the reason resources are lacking is that they are not efficiently allocated.

Other key insights include:

- The scarcity of available land suitable as park or recreational open space creates a demand, which increases the price.
- Funding priorities rank parks and recreational expenditures third and fourth in the various metro jurisdictions. While this is mentioned as an impediment, the majority of respondents fall short of suggesting a reorientation of metro priorities.

3. *What do you think could or should be done to overcome these impediments?*

While all respondents agree that “more money” would improve the probability of acquiring and maintaining new land, few see it as a panacea. Respondents rank “effective leadership” and “funding” as the top two things that can overcome the impediments. When addressing new acquisition, many respondents believe that elected officials must be the leaders. However, when addressing existing parkland, most stress the need for professional (optimally) or better management in terms of people and structures. There is a belief that commissioner and director positions are primarily filled by individuals with good political instincts and ties to top leaders, but lack professional management and planning skills.

Specific respondent recommendations are:

- Passage of quality of life improvement measures, such as local option special assessment taxes and general bond referenda.
- Use of existing funding mechanisms, such as tax credits, to give incentives to the business community to provide open space and parks.
- Hiring appropriate and capable professional staff within governmental entities to facilitate the acquisition of new open space and parkland.
- Recognition by the government that newly acquired parkland must be thoughtfully planned and include funds for maintenance. (Several stated that this should not be viewed as an edict that puts acquisition of new land on hold because of a lack of maintenance funding).
- Implementation of a broad public relations campaign aimed at both the public and private sector, stressing the importance and urgency regarding acquisition of new land now.

4. *What are the top five reasons for providing open/green space in a development?*

All respondents expressed the view that the provision of open and green space in a development is necessary to establish a superior quality of life. These types of spaces provide people with places to gather, fostering a stronger sense of community where neighbors can get to know one another. Many respondents made statements such as, “They create places where people want to live,” as a reason for why such spaces are so important. Quality of life is seen as a factor driving economic development, in that neighborhoods with desirable amenities are attractive to people who work in the area.

The positive impact on economic development efforts is nearly universally mentioned as one of the top five reasons for providing open and green space in a development. This is viewed as a positive both to the home or business owner (buyer looking at future sale) as well as the developer (seller maximizing their return on investment).

The positive environmental impact that green space and trees have on a neighborhood or development is mentioned by half of the respondents as one of the top reasons for providing green and open space. Those interviewed who did not mention environmental impact directly, seemed to imply that environmental health is a direct measure of quality of life. Other reasons for providing open and green space are relative to environmental educational opportunities and to give young people alternatives to crime.

Representative statements by respondents follow:

- Supports economic development by making Atlanta a more attractive place to live and work.
- Green space effects the well being of the work force, and that is becoming more important to employers.
- Improves the social status of a city to have large and beautiful parks.
- People want to live where they have access to green space.
- Increases happiness.
- Reduces crime by having legitimate activities in public spaces.

5. *What responsibility does the private sector have in providing open/green space?*

Respondents seem to have difficulty articulating tangible responsibilities of the private sector. Private sector responsibility is mentioned more in terms of what “should” be done as opposed to what “must” be done. Respondents believe that the private sector, in the spirit of the overall public good, should recognize the positive impact open and green spaces have on their property/developments as well as the impact on neighbors. According to the majority of respondents, the private sector must be given rules to follow in the form of zoning laws and planning regulations established by the local governing body. There is recognition that some

developers are “enlightened” or doing a good job in their developments when it comes to provision of open and green space.

Overall, responses to this question are much less definitive, as evidenced in the following statements:

- Need to understand the economic benefits.
- Enlightened and successful developers consciously try to create a cohesive experience of their development through green space.
- Private sector only has the legal responsibility to follow the regulations that the local jurisdiction sets forth.
- Developers should demand parks from the government.
- Developers have a responsibility to protect resources. We require them to provide public facilities such as water and sewer, so why not green space?

6. *What responsibility does government have in providing open/green space?*

There is broad consensus that the government must take the key leadership role in pursuing additional parkland and open spaces. According to respondents, government is responsible for properly maintaining and operating parks, for making them safe and for enacting legislation and advocacy that encourages development that meets the needs and demands of citizens.

Few respondents directly mention acquisition of new land as a government responsibility. It can be assumed that statements such as, “The government will have to provide the majority of the parks, although there are opportunities for parks to be provided by developers,” imply this responsibility. But the vast majority of respondents feel that government’s responsibility is:

- To maintain and operate park facilities.
- To make parks safe and enjoyable.
- To provide the planning and legislative frame work for future improvements to existing parks and acquisition of others.
- To involve the public in the planning and decision making process.
- To advocate for parks and educate the public and private sector as to their importance.
- To facilitate private and non-profit efforts to increase the amount of open and green space in the region.

7. *How does open/green space impact the economic value of a neighborhood or development?*

All respondents believe that open and green spaces positively impact the value of a neighborhood or development. However, more than half of all respondents stated that parks that are not well maintained and/or become

unsafe (or are perceived as such) decrease property values. Parks that are properly designed and well maintained encourage business development, increase property values and portray a positive image of the city or region.

Representative respondent statements follow:

- Green space is one of the things people look for when relocating a business or a home.
- Nice parks increase property values and make a better community. Positively if located and designed right. But they could have a negative impact if not properly planned.

8. *Is the creation of a Metro wide agency charged with the responsibility for coordinating and managing open space acquisition and maintenance warranted?*

A regional agency does not have much support among our respondent sample. Support for such an entity is weak from all sectors of the Atlanta area. Some respondents feel that a regionally focused entity is a good concept, but support dwindles rapidly when discussion of the specific complexities and competing interests of the regions various jurisdictions are considered. This is consistent with the dominant view that the region is lacking in leadership on environmental issues. Respondents in all groups generally view the results of multi-jurisdictional efforts negatively. While there is some mention made of the Atlanta Regional Commission (ARC) being a positive impact, the ARC is generally viewed as flawed and somewhat ineffective. The ARC may be the only exposure people have to a regional approach. It is possible that opinions on regional efforts might change with more knowledge of efforts that have succeeded in other regions.

Representative respondent statements include:

- There is little evidence that such agencies are effective, or could be effective in the Atlanta region.
- Impossible in the Atlanta region. Too many divergent interests.
- No. We do not need another layer of government. The current government should do their job.
- The efforts of the ARC are good as a clearinghouse for information.
- A metro-wide effort would not benefit the City (City of Atlanta).
- Parks are not the place to begin such an idea. Need to find an area that is less charged to be able to foster association between governments.
- (A regional approach) could work only if well represented by local government.

9. *Is service consolidation a good idea for metro counties and cities?*

Nearly all respondents in the abstract support service consolidation between county governments and cities within these counties. Most respondents view it as something to pursue, particularly in the area of maintenance. There is still some skepticism that consolidation can work with the perceived absence of leadership in the region. However, respondents believe that there may be economies of scale that can be achieved by consolidating certain redundant operations and services.

Representative respondent statements include:

- Yes, especially with maintenance contracts.
- Yes, there could be some economies of scale in consolidating purchasing to contract for services.
- Less and more efficient government is better.
- Good idea that rarely would happen.
- The idea should be pursued, but not to the exclusion of other things that happen along the way.

10. *What are the greatest parks and open space needs?*

Large parks and nature preserves, active recreational space and multi-use trails are the most common needs expressed by respondents. “Connectivity”, loosely defined as the linking of open space and parks through a system of multi-use trails, and greenways, is something many respondents mentioned. More specifically, respondents believe that active recreational fields, bicycle paths and access to natural and water areas are greatly needed.

Response categories include:

- New, large parks
- Access to water (Chattahoochee, streams)
- A system multi-use trails.
- Connectivity of parks and open space. (Related to above.)
- Active recreational facilities
- Natural areas/preserves
- Vista planning (capture important views)
- New special event locations
- Streetscape planning
- Better leadership and maintenance

11. *What would you most like to see accomplished?*

Responses to this question vary more than any other in this survey. More than half of the respondents expressed an interest in seeing new facilities or sites, while slightly more than one-third want to see funds spent on improving existing facilities. However, these responses do not really

represent disagreement as much as they do recognition of the poor condition of open and green spaces in the Atlanta area.

Primary respondent recommendations are as follows:

- Funding for new facilities such as linear parks, multi-use trails and green ways, special event facilities, pedestrian oriented streetscapes and the cleanup and reclamation of the Chattahoochee River.
- Additional funding for maintenance of new and existing open and greens spaces by government.
- Education of the public and developers as to the importance of parks and green ways.
- Spending of a larger percentage of funds on the building of actual facilities, listed above, as opposed to “studying it”.
- Strong leadership and more resources tied to maintenance.

12. *How could you or your organization participate in supporting improvements to the parks and open space system?*

Respondents are generally very willing to volunteer their time, experience and energy to work towards a greener metro Atlanta. Georgia Power (GP), for instance, is willing to support efforts to acquire and maintain new green and open space through assistance with the public participation process, funding through the GP foundation and by making GP-owned land that is usable available to the public for recreational purposes.

Other support is as follows:

- The PATH Foundation would like to continue fund raising and working more closely with the government to fully develop a multi-use trail system in Atlanta.
- City of Atlanta government employees and officials are willing to lobby and advocate for the acquisition of new spaces, work more closely with non-profit organizations to help them clarify project priorities and work directly with communities to assist them in acquiring parks.
- ARC has been directed by its board to make open space a higher priority and is looking for ways to fund that initiative.
- Private citizens are interested in continuing to be advocates for open and green space and to help in any way they can.

## **Discussion**

Informal discussion with survey respondents touched on several issues. There is widespread and strong support for cleaning the Chattahoochee River, improving access to and from the river and for making it more of a centerpiece to the City and region. The vast majority of respondents in this group are focused either by profession or residency on the City of Atlanta. In comparison to other groups with interests more focused on DeKalb, Gwinnett or Cobb Counties, the group of

respondents is decidedly pessimistic about the leadership and abilities of the City of Atlanta government. The City is viewed as ineffective in some instances, and as obstructionist to progress in others.

### III. Current Open Space Planning Efforts

#### *Current Open and Green Space Acquisition Efforts in Metro Atlanta*

##### **DeKalb County**

One of Georgia's oldest counties, DeKalb County is also one of the metro region's most urbanized. With the majority of its 173,393 acres already developed, the County has established the goal of protecting the remaining 37,775 acres (22% of land area). As of June 2002, approximately 5% of the county's land area was publicly held as parkland or green space<sup>3</sup>.

DeKalb is utilizing several tactics and funding sources to achieve its goal. A seven person Office of Parks Bond and Greenspace has been established to oversee and direct the county's green space activities. Over \$138 million in funding has been identified from the following sources

- \$130 million from the Parks and Greenspace Bond Issue. In March 2001, DeKalb County voters approved the issuance of \$125 million in general obligation park bonds. Issued at premium for \$130 million that October, the bonds are to be repaid from property tax revenue levied in the unincorporated portion of the county. The referendum specifies that at least 70% of the funding must be dedicated to land acquisition for parks and green space, with no more than 30% dedicated to park improvements and developing new facilities. All land acquisition and capital expenditures require approval by the Board of Commissioners, and a Citizens Advisory Committee has been formed. The bond funds do not replace the annual operating budget of the Parks and Recreation Department. As of November 2002, 1,175 acres had been acquired for \$22.83 million.
- Approximately \$5.5 million from 2001 and 2002 Georgia Community Greenspace Program grants (with an additional .9 million to municipalities). The County's participation in this state program is provided through its partnership with nine municipalities within DeKalb in the Joint DeKalb County/Municipal Greenspace Program. The Initiative for a Green DeKalb Citizens Advisory Council oversees the implementation of this aspect of the County's green space program.
- Over \$2 million from other federal and foundation grants.

The DeKalb Parks and Recreation Comprehensive Strategic Plan, approved in the fall of 2001, is the 10-year vision, foundation, and guiding document for the County's Parks Bond Program, Joint DeKalb County Municipal Greenspace Program, and overall park system. The plan incorporates citizen input and comments gathered from public meetings and surveys, identifies "core businesses and programs" of focus, lists 16 action strategies and corresponding

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<sup>3</sup> "DeKalb Greenspace", DeKalb County Website, accessed March 21, 2003.  
<<http://www.co.dekalb.ga.us/greenspace>>



recommendations for implementation, and addresses fiscal issues and recommendations.<sup>4</sup>

The County also partners with numerous volunteer and nonprofit organizations to further enhance and improve the parks system, such as Dunwoody Nature Center, Inc; South Peachtree Creek Nature Preserve, Inc; Olmsted Linear Park Alliance, Inc; and Park Pride.

### **Douglas County**

Douglas County has the third smallest population in the metro region, with 92,174 people.<sup>5</sup> Since joining the Georgia Greenspace Program, the county government has permanently preserved 1,300 acres, with another “7 to 800 in the works.” In the 6 months ending in December of 2002, the County went from having 411 acres preserved to 1,712.<sup>6</sup>

In the fall of 2001, voters in Douglas County approved a Special Local Option Sales Tax (SPLOST) for the purchase of 801 acres of land along the Dog River. The Trust for Public Lands assisted in upfront funding for the purchase of this land, which creates a permanent preservation buffer along 2.1 miles of riverfront that serves as the primary source of drinking water for residents.<sup>7</sup> Douglas County Commissioners are actively directing County employees to participate in the Georgia Green Space Program and acquire more land to prevent the some of the problems that exist in the more urban areas of metro Atlanta.

### **Fayette County**

Fayette County is located approximately 15 miles south of Atlanta and is 199 square miles in area. Fayetteville is the County Seat and is home to 12,000 of the county's 95,000 citizens<sup>8</sup>, while Peachtree City is home to over 32,000 residents (over 35% of the total population).<sup>9</sup> According to Fayette County's *Comprehensive Growth management Plan*, preservation of open and green spaces is a high priority as the county attempts to maintain its “rural character”.<sup>10</sup>

Fayette County has adopted the goal of the Georgia Greenspace Program, which is the permanent preservation of 20% of its total acreage. This amounts to a commitment to preserve 25,470 acres.<sup>11</sup> Fayetteville and Peachtree City are actively seeking to identify the necessary land to meet and/or exceed this goal. Prior to joining the program, Peachtree City had already permanently preserved 18.3% of its land as open space for passive recreation.<sup>12</sup> The County's Comprehensive Growth Management Plan, originally adopted in December of 1991, is being updated by the County's Planning Department Staff to stay aligned to the goals and objectives of the Georgia Greenspace Program.

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<sup>4</sup> “Strategic Plan”, DeKalb County Parks and Recreation Website, accessed March 21, 2003.  
<<http://www.co.dekalb.ga.us/dekalbfun/main/start.html>>

<sup>5</sup> US Census Bureau, 2000

<sup>6</sup> Interview with Owen Credle, Douglas County Department of Parks and Recreation

<sup>7</sup> *Georgia News Bulletin, Fall 2002*, Trust for Public Lands

<sup>8</sup> [http://www.admin.co.fayette.ga.us/government/admin/county\\_profile.html](http://www.admin.co.fayette.ga.us/government/admin/county_profile.html)

<sup>9</sup> Fayette County Green Space Program, County Description,

[http://www.admin.co.fayette.ga.us/planning/greenspace/greenspace\\_plan.htm](http://www.admin.co.fayette.ga.us/planning/greenspace/greenspace_plan.htm)

<sup>10</sup> [http://www.admin.co.fayette.ga.us/planning/greenspace/greenspace\\_plan.htm](http://www.admin.co.fayette.ga.us/planning/greenspace/greenspace_plan.htm)

<sup>11</sup> Ibid

<sup>12</sup> [http://www.admin.co.fayette.ga.us/planning/comprehensive\\_growth\\_plan.html](http://www.admin.co.fayette.ga.us/planning/comprehensive_growth_plan.html)

## Fulton County

Fulton County is the largest county by population in the State of Georgia and has the City of Atlanta, the state capitol, as the county seat. The county includes the cities of Alpharetta, Atlanta, Mountain Park, Roswell, College Park, East Point, Fairburn, Hapeville, Palmetto and Union. Fulton County has an estimated population of 816,638 according to 2001 US Census Bureau figures and a land area of nearly 529 square miles. The average density (persons per square mile) is 1,543.5, compared to state average of 142.<sup>13</sup>

Planning efforts Fulton County have been sporadic with respect to parks and open spaces. The County adopted a Bicycle and Pedestrian Plan in 1995 and the North Fulton County Comprehensive Plan Update in 1999.<sup>14</sup> In the 1999 Update, the County agreed to develop a parks and recreation master plan, as well as Environmental Impact fee ordinance specifically to preserve parks and open space. County leaders have committed to include “Smart Growth Principles” in all developments and have adopted Subdivision Conservation legislation to meet this objective. The County is currently developing an extensive comprehensive transportation plan that protects environmentally sensitive areas, takes into consideration the accommodation of pedestrians and bicycles and incorporates a multi-modal component.<sup>15</sup>

The public input process during the development of the 1999 Update was extensive and includes comments that are similar in focus to those included in this study as a part of the interview process. Select comments include:

- Plan needs to include needed infrastructure improvements. Development should not proceed until improvements are funded. A proactive plan would also set aside green space, address all traffic issues, and concentrate development to utilize mass transit, sidewalks, and pedestrian crossings.<sup>16</sup>
- Develop a Conservation Subdivision Ordinance.<sup>17</sup>
- Wants to see more park space. Park space should be centrally located to Northwest Fulton.
- Suggest implementing impact fees for parks (County is beginning to work on this). One suggestion is the Hopewell School site.<sup>18</sup>
- Land bank for new schools now. Need better working relationship between Fulton County, which permits development, and the School Board, which builds schools to serve development. Schools are over crowded all over North Fulton.<sup>19</sup>

The County’s policies, as a result of various studies and public input processes, reflect the growing importance the public places on preserving undeveloped land. As written, these policies are intended to encourage development of communities that incorporate diverse housing types.

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<sup>13</sup> US Census Bureau, 2001 update

<sup>14</sup> Fulton County Board Of Commissioners, North Fulton Year 2015 Comprehensive Plan Update, August 4, 1999

<sup>15</sup> Smart Growth, Fulton County Commission on Smart Growth and Citizen Participation (2001) Transportation policies

<sup>16</sup> Ibid

<sup>17</sup> Ibid

<sup>18</sup> Ibid

<sup>19</sup> Ibid

## City of Atlanta

The last citywide parks plan for Atlanta was released in December 1993, Atlanta Parks, Open Space and Greenways Plan<sup>20</sup>. Many of the specific projects identified in the plan were achieved, such as Freedom Park, Centennial Olympic Park, Summerhill Park, and the South East Recreation Center. But some of the most important recommendations were not accomplished, such as increasing the amount of park space to 4,000 acres, creating a “Cultural Ring” within the abandoned portion of the railroad corridor which encircles Downtown Atlanta, utilizing a greater portion of the Fulton County Recreational Authority’s Park Improvement Fund, and establishing a “Parks Alliance”, made up of public and private member to engage in raising funds and promoting the implementation of the 1993 Plan.

In the past three years, several new parks have been acquired: Whittier Mill Park; the 52 Acre Wood in southeast Atlanta; Wildwood Nature Preserve; and a conservation easement along the Chattahoochee River, South of Peachtree Creek. Nonetheless, Atlanta is still far short in meeting openspace needs and does not have the funds it needs to maintain existing parks. Atlanta is striving to determine how to meet the 20% protected greenspace, as prescribed in the Georgia Greenspace Program, but of 16,000 acres needed to meet this goal, only a little more than 2,000 acres of parks and nature preserves have been identified that meet the program’s requirements.

In 2002 Mayor Shirley Franklin appointed a Parks and Greenspace Task Force, which produced a report with six key recommendations, including that a new Parks District be created, with taxing and bonding powers.<sup>21</sup> The Mayor has committed to implementing the recommendations. The Mayor has also proposed a Department of Watershed Management, which would encompass drinking water, storm water and waste water; and would include an office of environmental compliance to oversee the long-range planning of greenways and conservations easements as part of the new storm water management and easement acquisition programs.

## Gwinnett County

In May of 2002, the Gwinnett County Government published the Gwinnett County Open Space and Greenway Master Plan. This detailed document took 18 months to produce by a project team consisting of County staff and a citizens’ steering committee, lead by Lose and Associates, Inc., and the University of Georgia Institute of Ecology and Greenways Incorporated.<sup>22</sup> The primary goals of the study are to increase recreational opportunities, protect and improve water quality, increase connectivity via a system of greenway trails, and reduce environmental impacts of development.<sup>23</sup>

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<sup>20</sup> *The City of Atlanta Parks, Open Space and Greenways, Plan*, December 1993

<sup>21</sup> *Mayor Franklin’s Parks and Greenspace Task Force Report*, October 2002

<sup>22</sup> *Gwinnett County Open Space and Greenway Master Plan*, Executive Summary

<sup>23</sup> *Ibid*

Gwinnett County has exhibited some of the fastest population growth in the United States over the last two decades.<sup>24</sup> Gwinnett County grew by 66.7% from 1990 to 2000, when the population reached 588,448.<sup>25</sup> County leaders and citizens have been smart in not only recognizing the importance of open and green space in improving the quality of life, they have aggressively increased the amount of open space and parkland. Since 1996, when Gwinnett County had just over 1,800 dedicated acres of open space and parkland, the County has added over 7,200 acres to its inventory. 5,300 of the newly acquired 7,200 acres have been targeted for passive recreational uses.<sup>26</sup> Voters in November of 2000 approved a SPLOST, a 1cent local option sales tax, which has provided \$55 million for passive parkland acquisition.<sup>27</sup>

Gwinnett County is utilizing many of the preservation and open space acquisition tools identified in Section V of this study. The County has enacted a Conservation Subdivision Ordinance and is actively participating in the Georgia Greenspace Program. Gwinnett County received \$2.7 million in 2001 from the program.<sup>28</sup> With land values averaging over \$20,000 per acre, Gwinnett is actively and aggressively seeking alternatives to fee simple purchasing of available land. The County Open Space and Greenway Master Plan calls for adding staffing resources to facilitate the acquisition of land. The first step in this process is to bring on an Open Space Coordinator to interact with the public and private groups that sell or donate land to the County.<sup>29</sup>

## Henry County

Henry County has exhibited significant growth over the last decade. While the population is still somewhat small, it has increased 103.2% from 1990 to 119,341 residents in 2000.<sup>30</sup> Currently, Henry County has only 0.05% of its 206,000 acres permanently protected as green space. The County's commitment to the Georgia Green Space program is demonstrated in its pledge to preserve 41,157 acres for passive recreational purposes.<sup>31</sup>

The County's Department of Planning and Zoning is responsible for the implementation of the Georgia Greenspace Program and the County's long-range land-use plan. Due to its relatively small size, County planners offer to meet with any interested citizens to review its comprehensive development plan. In response to citizen concerns expressing a desire to "stop the growth",<sup>32</sup> planners are starting to develop a new comprehensive development plan. Planners are also re-writing existing zoning ordinances and creating new ones aimed at making the county a "more sustainable and livable community."<sup>33</sup> Interestingly, the County's Planning and Zoning Departments website states that "(G)rowth can not (sic) be stopped by the County but can be managed through growth management policies." Henry County leadership has committed to the development of a

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<sup>24</sup> US Census Bureau, 2000

<sup>25</sup> Ibid

<sup>26</sup> *Gwinnett County Open Space and Greenway Master Plan, section 1.1*

<sup>27</sup> Ibid, Section 2b

<sup>28</sup> Ibid

<sup>29</sup> Ibid, Section 3.22

<sup>30</sup> US Census Bureau 2000

<sup>31</sup> Henry County Green Space Process Report, 2001, Pg. 3

<sup>32</sup> Henry County Website, FAQ

<sup>33</sup> Henry County, Department of Planning and Zoning website

Conservation Subdivision Ordinance that will apply to most of the southern portion of the county, encompassing its entire watershed protection district.<sup>34</sup>

### **Rockdale County**

Rockdale County is a suburban community located 24 miles east of Atlanta on Interstate 20. The county is the smallest in the metro area, with approximately 130 square miles and an ARC-estimated population of 72,900. The State of Georgia Office of Planning and Budget projects Rockdale to grow to 200,243 people by 2010.<sup>35</sup> The county seat is Conyers, a small city of 7,500. Conyers' parks and recreation sites and facilities are administered separate from the county government by the City's Planning and City Services Department.

According to a study conducted by the Metropolitan North Georgia Planning District, Rockdale's approximately 85,000 acres are 30% developed, with less than 5% of its area dedicated as green space. The County is currently undertaking a Comprehensive Transportation Plan, scheduled for completion by the end of 2003.<sup>36</sup> This plan, which the County is developing as a part of an extensive public outreach campaign, will address the distribution of land uses, employment and population.<sup>37</sup> The plan will focus on meeting the traffic needs of the growing community. The Land Use component of the plan is not yet complete and there is no current master planning process focused specifically on open and green space.

### **Examples of Efforts in Other Cities**

To aid metro Atlanta's open space planning efforts, the structure and funding for public open space/park acquisition and maintenance for nine comparable U.S. cities were researched. The cities studied range from low-density municipalities similar to Atlanta (Denver, Indianapolis and Charlotte) to those with medium (Minneapolis, Portland and Seattle) and significantly higher population densities (Chicago, Philadelphia and Miami).

### **Chicago, Illinois**

The foundation of Chicago's park system was laid in the 1909 Burnham plan for the city, and was solidified by extensive lobbying by merchant A. Montgomery Ward to retain 24 miles of Lake Michigan shoreline for public park use.<sup>38</sup> Thirty-nine percent of the city's entire park system acreage is located along the shore today.

The Chicago Park District (CPD), established in 1934, is a free standing entity, chartered by the state with authority to levy taxes and determine its own budget. A Board of Commissioners, with seven mayor appointed members, reviews CPD performance, audits its finances, and provides expert advice.<sup>39</sup> This is accomplished through three committees: Administration, Programs and Recreation, and Capital Improvements. The CPD works with advisory councils and citizens to set its annual budget and establish a comprehensive plan. CPD was

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<sup>34</sup> Henry County Green Space Process Report, 2001, Pg. 4

<sup>35</sup> <http://www.rockdalecounty.org/rock.cfm?pid=5>

<sup>36</sup> <http://www.rockdalecounty.org/rock.cfm?pid=221>

<sup>37</sup> Ibid

<sup>38</sup> Harnik, Peter. Inside City Parks. The Trust for Public Land. The Urban Land Institute, Washington D.C., 2000. pp 23-25.

<sup>39</sup> "Departments", Chicago Park District Website, accessed October 6, 2002.  
<<http://www.chicagoparkdistrict.com/index.cfm/fuseaction/departments.home>>

restructured in 1993, outsourcing several functions, and refocusing its mission on core parks and recreation programs. Today, its greatest challenge is to increase the gross amount of parkland in the city while continuing to improve the maintenance of its existing facilities.

The Cook County Forest Preserve District, with a \$128 million budget and taxing authority, also manages 67,000 acres throughout the County, though most is located outside Chicago city limits.<sup>40</sup> NeighborSpace, launched in 1996, is a nonprofit agency that provides permanent protection for community gardening and creates small passive parks on vacant lots.<sup>41</sup> The CPD, the City Planning Department and the County Forest Preserve District pay its \$300K operating budget equally. The organization mainly seeks to own its properties but will only do so if a maintenance contract can be signed with a neighborhood organization. It acquires property through governmental transfers, tax delinquencies, demolition lien foreclosure and private transactions.<sup>42</sup>

Chicago now also charges an impact fee on residential developers if they do not include open space in their development efforts. This is expected to generate \$1.5 million annually.<sup>43</sup>

### **Philadelphia, Pennsylvania**

Philadelphia's open space roots trace back to 1682 when William Penn stipulated one acre of open space for every one acre of development in his layout for the new city.<sup>44</sup> Today Philadelphia has still managed to devote 12.4% of its land to parkland, including two outstanding open spaces, the 4,000-acre Fairmount Park along the Schuylkill River, and Rittenhouse Square, six acres of historically prestigious urban green space now used by residents and tourists alike.<sup>45</sup> These two parks have contributed to stability in surrounding neighborhoods, while much of the rest of Philadelphia suffers from a tremendous amount of vacant and decrepit buildings and abandoned land. This condition has led city leaders to focus on improving the quality of existing spaces.

Philadelphia is challenged by a division of parks and recreation management between two unrelated agencies, The Fairmount Park Commission (FPC), an independent entity chartered by the state that manages 8,900 acres of parks and forest and whose mission is land protection, and the Philadelphia Department of Recreation (PDR), a city agency that operates recreation centers and whose mission is "to serve people".<sup>46</sup> The mayor appoints the head of the PDR, while a 16 member Board of Directors governs the FPC. As a holdover of the 1867 law originally creating the FPC, the roughly 100 Judges who sit on Common Pleas Court select ten of the sixteen directors.<sup>47</sup> The remaining six are ex officio Commissioners, people who are on the Commission because of another important office they hold.

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<sup>40</sup> Harnik, p29

<sup>41</sup> Harnik, p28

<sup>42</sup> "NeighborSpace Program", City of Chicago Department of Planning and Development website, accessed October 7, 2002. <<http://www.ci.chi.il.us/PlanandDevelop/Programs/NeighborSpace>>

<sup>43</sup> Harnik, p30

<sup>44</sup> Harnik, p39-40

<sup>45</sup> "Rittenhouse Square District", Philadelphia Convention and Visitors Bureau website, accessed October 7, 2002. <[http://www.pcvb.org/ab\\_phil](http://www.pcvb.org/ab_phil)>

<sup>46</sup> Harnik, p41

<sup>47</sup> <<http://www.Hallwatch.org/profiles/fpc/org2>>

The FPC obtains 80% of its budget from the City Council, but is otherwise divorced from City dealings.<sup>48</sup> Though under funded and with millions of dollars of deferred maintenance, it has the support of over 75 private “Friends” organizations. It is currently working with two such groups to develop a greenway to link Fairmount Park (and the river) to the historic downtown area.

PDR, which is responsible for recreational programs and activities, has an excellent relationship with the Pennsylvania Horticultural Society, a not-for-profit membership organization founded in 1837.<sup>49</sup> The two originally formed the Philadelphia Green program to bring flowers and street trees to the inner city. This successful program has expanded to revitalize depressed neighborhoods with community gardens, side-lot acquisition and creation of jobs in horticulture. It has overlapped into FPC territory by also adopting small urban parks.

### **Miami, Florida**

Miami has the distinction of having less open space acreage than any other large city in the country.<sup>50</sup> The quality of service and amenities is additionally low due to a sharp decline in the Miami Parks and Recreation Department’s budget.<sup>51</sup> Many parks have been closed due to vandalism and lack of maintenance. The city’s political and financial problems have led government officials to view existing parkland as an instrument for generating revenue, resulting in more loss of true open space and associated recreational activities. While the city is booming and growing, its high levels of poverty and stratified socioeconomic demographics create difficulties because both the parks/open space program and parks department are within the City organization and, as such, are reliant on general funding.

Tempering factors for city residents include that Miami-Dade County provides regional oceanfront parks in other cities not far from Miami; some park services will be funded by the Miami-Dade County Safe Neighborhood Parks Bond Act passed in 1996; and the bond funded Florida Communities Trust, a state program designed to help city park land acquisition, has quotas that ensure urban cores obtain certain portions of the proceeds.<sup>52</sup> In addition, in 1999, the City created a Parks Advisory Board of appointed and elected members to provide oversight to the department.

### **Minneapolis, Minnesota**

Minneapolis ranks at the top of the cities studied in the categories of percentage of parkland acreage, per capita amount of parks and open space, recreational centers per capita, and park related expenditures per resident. Strong community cohesion and leadership influence this excellence. The base for its success began in 1883 when an enlightened Board of Trade pressed for the creation of an independent park system with an elected managing board.<sup>53</sup> The Minneapolis Parks and Recreation Board (MPRB) survives today and has its own taxing authority. It thus has more autonomy and accountability than its peers in other cities.

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<sup>48</sup> Harnik, p42

<sup>49</sup> Harnik, p44

<sup>50</sup> Harnik, p47

<sup>51</sup> Harnik, p49

<sup>52</sup> Harnik, p50-51

<sup>53</sup> Harnik, p77

Since 1983, the city has financed its park system primarily from a dedicated real estate tax on every property. Prior to that, the system was developed mainly from the use of special assessments.<sup>54</sup> Improvements were paid for by a graduated system of special assessments levied against properties that benefited from the creation of a new park. 51% of the affected property owners would have to agree for the park to be built. Special assessments did not work well in areas where the cost of land is high and the surrounding homes are poor, and this caused Minneapolis to abandon this financing method for parks in the 1960's.

The focal elements of Minneapolis' park system are the Chain-of-Lakes, a series of predominately manmade lakes created by the dredging of wetlands and marshes, and the Mississippi River. Trails and greenways, and connectivity of green space by the parkway system create unity in the system. The 53-mile Grand Rounds Parkway system, a perimeter roadway/trail corridor is officially a regional entity and gets regional funds.

Minneapolis established a policy of "no net loss of parkland" in the 1960's and the goal of having a park within six blocks of any resident in the city. The philosophy of Minneapolis leadership has consistently been that parklands add value to adjacent property and therefore increase the overall tax base. As such, this philosophy is now driving the use of parks as the focal point of economic redevelopment efforts.

MPRB is successful also because it actively seeks extensive public input, adjusts its activities to the changing demands of the population it serves, and queries those not using the facilities. It initiated the "Listening and Visioning Project" for one of its parks, the 7.6 acre Peavey Park<sup>55</sup> and obtained a \$35,000 grant from the City Parks Forum to involve the community in a dialog to influence the park's future. It held 18 sessions with 181 participants, culminating in a community driven concept plan for design changes and enhancements to the park. This plan is being used to seek other grant money.

## **Portland, Oregon**

Portland is second to Minneapolis in medium density cities in its percentage of existing parkland. Forest Park, the nation's fifth largest municipal park, contributes much to this, but the tiny 1.5 acre Pioneer Courthouse Square in the city's center is its soul. Slated to be a parking deck in 1984, individuals and companies rallied to purchase 65,000 bricks to pave the square and pay for other amenities.<sup>56</sup>

77% of Portland's parks are managed by the Portland Parks and Recreation Department (PPRD), 18% by METRO, a regional entity that provides services to the residents of the 3 counties and 24 cities that make up the metropolitan Portland area, and 5% is a state park located within city boundaries.<sup>57</sup> Unlike most

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<sup>54</sup> Crompton, John. The Impact of Parks and Open Space on Property Values and the Property Tax Base. Division of Professional Service, National Recreation and Park Association, Ashburn, Virginia, 2000. p18-19.

<sup>55</sup> Garvin, Alexander. Parks, Recreation and Open Space: A Twenty-First Century Agenda. The City Parks Forum and American Planning Association, Chicago, 2000. p38-39

<sup>56</sup> Harnik, p115

<sup>57</sup> Harnik, p113-114



other parks nationwide, PPRD is allowed to retain all the revenue it raises rather than return it to the city's general fund.

In 1995, voters approved METRO's (Open Spaces Parks & Streams) \$135 million Bond Measure to acquire regionally significant natural areas.<sup>58</sup> METRO will acquire approximately 6,000 acres of open space by 2015 and complete six regional trail and greenway projects. The measure also provides resources for local parks providers such as the PPRD. PPRD generally manages any land acquired by METRO within Portland boundaries. PPRD also acquires properties complementary to METRO's holdings, and has sometimes jointly acquired property with METRO.

The head of PPRD since 1989, Charles Jordan, is one of the country's most influential city park advocates.<sup>59</sup> PPRD owns Pioneer Square but it is operated by Friends of Pioneer Square, a nonprofit that handles programming, maintenance and security.<sup>60</sup> Most of its budget is derived from event fees and leases. They base their fees on a simple criteria - payment is required if amplifiers are used. This method generates revenue while encouraging non-programmed activities.

### **Seattle, Washington**

Seattle has the highest per capita expenditures on parks and recreation (\$164 per resident per year) of the nation's big cities.<sup>61</sup> Its park system is run by the Seattle Parks and Recreation Department (SPR) and overseen by the Seattle Board of Park Commissioners, a volunteer advisory board established by ordinance.<sup>62</sup> The mayor appoints the seven Park Board members for three-year terms. The Board consults with and makes recommendations to the Superintendent of SPR regarding the departments' policies for the planning, development and use of the city's park and recreation facilities. The Board conducts public hearings and meetings. SPR also encompasses a network of Recreation Advisory Councils that collect \$7 million in activity fees and employ 1,500 part-time instructors.<sup>63</sup> The mayor has proposed the creation of a Metropolitan Park District that would have state authority to institute a permanent levy and issue bonds for capital improvements and land acquisition, although it is unclear whether this is intended to only address the zoo and aquarium.<sup>64</sup>

King County voters passed a large Open Space and Trails bond in 1989.<sup>65</sup> The City has parlayed this with matching funds to acquire 600 acres of parkland. A decommissioned naval air station will be added to one of the parks through the federal Lands-to-Parks program. Seattle has also successfully "created open space" for parks by building over roadways. SPR supports the activities of the private, non-profit Seattle Parks Foundation, which is dedicated to conserving, improving and expanding the quality of Seattle's parks, green spaces and

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<sup>58</sup> "Department of Planning and Development", Portland Parks and Recreation website, accessed October 7, 2002. <<http://www.portlandparks.org/Planning/ParkLegacy.htm>>

<sup>59</sup> Harnik, p116

<sup>60</sup> Harnik, p115

<sup>61</sup> Harnik, p97

<sup>62</sup> "Board of Commissioners", Seattle Parks and Recreation website, accessed October 7, 2002.

<<http://www.cityofseattle.net/parks/parkboard>>

<sup>63</sup> Harnik, p97

<sup>64</sup> Harnik, p100

<sup>65</sup> Harnik, p98

programs and to building community support for parks.<sup>66</sup> Its projects to date have primarily created and enhanced neighborhood parks and gathering places.

Planners have been meeting with the community and have asked, “What amenities do you want in compensation for higher density?” The top two responses have been protection from too much traffic, and more parkland.<sup>67</sup>

### **Denver, Colorado**

Denver’s parks are managed by the Denver Department of Parks and Recreation. The leadership of Denver has used park creation as a tool to spur growth in places where infrastructure already exists in an effort to combat sprawl. Denver’s mayors have historically managed to obtain additional park/open space funding from a variety of nontraditional sources, such as revenue generated from ownership in a ski resort and tapping into a state environmental fund derived from lottery profits. A pro-park and open space culture currently exists with the mayor and the Denver citizenry.<sup>68</sup> Private citizens are launching the City Park Alliance to raise money and partially privatize some of City Park’s maintenance regulations.

An abandoned airport, decommissioned military base and downtown rail yard will be added to the city’s park system. Cleaning up the polluted South Platte River resulted in one of the nations’ great urban greenway successes.<sup>69</sup> Greenways are managed as quasi-public, quasi-private entities – the City owns and operates them but private nonprofit groups promote and support them. For example, the Greenway Foundation is responsible for the South Platte River Greenway.

### **Indianapolis, Indiana**

Indianapolis had the smallest full-service park and recreation budget, both per capita and per acre, of all large cities in 1999.<sup>70</sup> This is consistent with the overall city management philosophy of outsourcing and privatization of traditional municipal services. What is not outsourced is operated by Indy Parks, the City’s parks department. Indianapolis has historically rebuffed land donations, incurring little desire to provide a large publicly owned and maintained park system.<sup>71</sup>

Despite this attribute, Indianapolis has a goal of becoming the “greenway capital of the nation”. Its 1994 Greenway Plan grew out of two failed industrial facilities – the Central Canal and the Monon Railroad. One successful method of obtaining greenway land has been to appropriate linear strips of unused land owned by other municipal agencies, such as the Department of Public Works, which has authority over floodplains and flood channels. Unfortunately, the greenway program is poorly integrated into the overall park hierarchy and appears to be developing its own parallel structure of partnerships and foundation support.<sup>72</sup>

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<sup>66</sup> Seattle Parks Foundation website, accessed on October 7, 2002. <<http://www.seattleparksfoundation.org>>

<sup>67</sup> Harnik, p98

<sup>68</sup> Harnik, p153

<sup>69</sup> Harnik, p152

<sup>70</sup> Harnik, p191

<sup>71</sup> Harnik, p189

<sup>72</sup> Harnik, p193

## **Charlotte-Mecklenburg, North Carolina**

The City of Charlotte and Mecklenburg County have combined governmental services, including the Mecklenburg Parks and Recreation Department (MPRD), home to more than 175 parks and facilities located on more than 13,500 acres of parkland throughout the county.<sup>73</sup> The department obtains public input through advisory councils to aquatics, natural resources and nine park districts. The Mecklenburg County Park and Recreation Commission handles oversight, but the County Board of Commissioners has approval rights for fiscal policies and changes.

MPRD contains five Divisions: Natural Resources, Aquatics, Therapeutics, Park Planning, and Park Services. The Division of Natural Resources is responsible for the protection, conservation and management of Mecklenburg County natural areas. It operates three nature centers with education programs, manages 7,500 acres of nature preserves and greenways, and conserves natural communities and restores habitats. The Park Services Division handles all maintenance for the department.

MPRD has an extensive fee and rental system of charges for use of various parks and recreational facilities. A private nonprofit, Partners for Parks Foundation, supports the maintenance of the county's parks with additional funds.

## **Summary**

Cities appearing to have the strongest parks and open space programs are those with a history of governmental leadership and constituent support, aided by a structure and funding of independence with accountability. Minneapolis and Chicago (in recent times) represent this tier. Of the nine cities, six cities have a parks and recreation department within the City administration and, with the exception of Portland, a parks board of commissioners/directors oversees these departments. Budget is dependent upon the annual priorities of the current administration. Generally under funded, these organizations have looked to the private sector, i.e. nonprofit foundations and "friends" volunteers, for both additional funding and responsibility for maintenance of individual parks. City governments are also generally supporting business improvement district efforts and takeover of some park/open space maintenance. Bryant Park in New York City is a successful case study of the turnaround in a neighborhood after a redesign and assumption of ongoing maintenance by the Bryant Park Restoration Corporation in 1984.<sup>74</sup> Fees for services, facility use and programs are also increasing in popularity, as exemplified in Charlotte. Miami and Indianapolis demonstrate how parks and recreation is relegated to low priority when city finances and/or philosophy conflict with high quality open space provision.

Some localities have been additionally inventive in their ability to acquire, provide and fund public open space for their constituencies. Building vertically, developing brown fields and vacant lots, piggybacking on new roadways or old rail-lines, identifying "unused" right-of-ways, collecting developer impact fees, and using special assessments are some of the mechanisms used by the cities profiled. A more detailed and comprehensive examination of tools and techniques

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<sup>73</sup> "About MCPR (Mecklenburg County Park and Recreation)", Parks and Recreation Department, Charlotte Mecklenburg government website, accessed October 7, 2002. <<http://www.charmeck.nc.us/deptaz.htm>>

<sup>74</sup> Garvin, p44-46

for funding acquisition and ongoing maintenance of open space initiatives across the country is provided in Section V of this paper.

## IV. Observations, Issues and Impediments

Based on key interviews and research on efforts both locally and in other cities, observations, issues and impediments can be identified. These may then be divided into the key areas contained within this section.

### Acquisition/Protection

There is a tremendous need for more open space and parkland in metro Atlanta. Respondents support this position with statements that Atlanta lacks in such spaces compared to other American cities of comparable size or standing. While few can quote actual sources as a basis for this opinion, references to “studies” showing that Atlanta is deficient are the primary support for this opinion.

The main impediments to cities and counties acquiring and maintaining more public open space are a **lack of available funds for acquisition and ongoing maintenance, the high cost of available land and a lack of effective leadership on the part of elected officials**. However, the high cost of land is not an obstacle that respondents to the study's survey believe is impossible to overcome. In fact, **people who work in governmental positions or in open space advocacy are of the opinion that the money is available, but executing the smooth acquisition is difficult due to a lack of leadership and/or staff competence**. One respondent in the current Mayor of Atlanta's administration stated that “there may not be a governmental solution” to the problem of the lack of public open space. However, it was allowed that the community could “drive this issue in terms of supporting new parks.”

The main impediments to acquisition and protection seem to focus on a lack of leadership in the denser, more urban areas of Metro Atlanta and a lack of recognition of the need for protective measures by the public in the metro suburban and rural areas. However, strong participation by metro counties in the Georgia Greenspace Program conflicts with this latter perception. All counties are actively pursuing the stated goal of the program, which is to dedicate a minimum of 20% of the land in the State of Georgia as permanently protected green space.

The price of land in the part of north Georgia that includes metro Atlanta has risen sharply over the last 17 years. According to the University of Georgia Center for Agribusiness and Economic Development, in 1985, an acre of land in this region would cost on average \$3,068. According to the U.S. Labor Department's Consumer Price Index since 1985, the adjusted price for an acre of land in north Georgia is \$4,756 per acre. In 2000 that same acre of land cost over \$8,000<sup>75</sup> Opinions as to what is causing this sharp increase in price vary widely. A combination of factors, such as tremendous migration to metro Atlanta and the public's recalcitrance since the collapse of the stock market towards investment in the market, choosing instead to invest in land, have contributed greatly to this increase in price.<sup>76</sup>

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<sup>75</sup> Lee Shearer, “*Buying the Farm, Spike in land value goes beyond urban sprawl.*” *The Augusta Chronicle*, July 7, 2002

<sup>76</sup> *ibid*

## Maintenance

The cost of maintaining the parks we all use increases just like the cost of everything else. In the City of Atlanta, parks maintenance budgets have been effectively cut every year for over a decade.<sup>77</sup> Just how much of an issue it is seems to depend on where one resides. Leaders in Cobb, Gwinnett and Douglas Counties, for example, believe that the level of funding given to park maintenance is at or close to appropriate levels. These suburban and rural areas may have fewer competing interests for limited tax dollars. In the City of Atlanta and DeKalb County, administrative staff feels overwhelmed by the level of responsibility they are given and the limited funds appropriated to meet these responsibilities.<sup>78</sup>

Cities around the country are facing tight budgets. Some governments are exploring alternative funding options that are being met with mixed reviews. The Metropolitan King County government (Washington) is proposing to transfer ownership of two county-owned parks to avert having to shut them down due to lack of funding. One park would be transferred to the City of Kirkland, which would assume all day-to-day responsibilities for the park while serving the same general population. The other park would be transferred to a neighborhood association that will create its own tax district.<sup>79</sup> While some residents applaud the move, others are concerned that transferring ownership of a county-owned park will create jurisdictional issues. Where citizens would have free access to a park controlled by the county government, some fear they would lose access to the facility if the transfer to the smaller city government goes through and they are not a resident.<sup>80</sup>

## Developments Costs vs. Open Space Acquisition and Maintenance

Several studies have been published comparing the expense of providing urban services to leaving land undeveloped or minimally developed. For example, the American Farmland Trust developed the "Cost of Community Services" (COCS) studies to provide local governments with a mechanism for evaluating the costs of providing services to developed communities versus the actual contribution of agricultural and open space to the local tax base.<sup>81</sup> Summit County, Utah determined that each residential unit developed in the county costs the County \$300.00 above the revenue received from taxes. Some of these costs include educating children, constructing and maintaining infrastructure, and providing other public services such as police, fire, health and welfare.<sup>82</sup> Cities and developers are finding that the infrastructure costs can be dramatically decreased if new homes are grouped, or "clustered" on a development parcel so that the remainder can be preserved as open space.<sup>83</sup>

The concept of clustering has raised concerns because it is so different from the conventional, standardized subdivision. The conventional approach results in the

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<sup>77</sup> Interview with Ken Gillett, Deputy Director, City of Atlanta, Bureau of Parks

<sup>78</sup> Interviews with City of Atlanta and DeKalb County staff

<sup>79</sup> Nick Perry, *2 park transfers OK'd for ballot in November*, Seattle Times, August 20, 2002.

<sup>80</sup> Ibid

<sup>81</sup> Maryland Department of Natural Resources, Student handout, *Cost of Community Services Fact Sheet*

<sup>82</sup> Summit County, Utah website: <http://www.co.summit.ut.us/services/data/esTOC.html>

<sup>83</sup> Randall Arendt, *Open Space Zoning: What it is and why it works*, *Planning Commissioners Journal*, Issue 5, page 4, of the PCJ, July/August 1992

entire parcel being covered with house lots. Questions over who will maintain the “unused land”, especially if it is used for recreational purposes, usually are resolved by either a homeowners association’s agreement to maintain the property or a local government assuming that responsibility. Decreases in infrastructure costs, as well as increases in property values due to a development's proximity to open space, make a strong case for park and open space preservation as a cost effective policy decision.<sup>84</sup>

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<sup>84</sup> Ibid

## V. Options for Open Space Acquisition/Maintenance

### Local Governmental Options

Voters in most parts of the country have responded overwhelmingly in favor of spending their tax dollars for acquisition and preservation of open space. In the last five years, bond measures directed at acquiring land for open space have been approved with increasing prevalence. In 1998, voters nationwide passed 72% of the 240 local and state ballot measures (totaling \$7.5 billion in funding) for land conservation and parks.<sup>85</sup> Additional funding has been allocated for this purpose through numerous state and county programs, such as special interest sales taxes and real estate taxes, in Maryland, North Carolina, California, and other states. Self-taxing mechanisms such as Business Improvement Districts are targeting park acquisition and maintenance. Citizen Visioning processes consistently have chosen acquisition of parks and open space as a top priority. These actions represent a nation-wide, grass roots recognition of the tremendous need for public open space.

New land use techniques and zoning regulations also appear to be increasingly geared towards “land protection and use preservation”. Purchase of Development Rights, Transfer of Development Rights, Cluster Zoning, Civic Space Regulations and Open Space Incentives are becoming more common. Conservation Subdivisions, farmland protection programs and semi-private open space incentives are also new tools in the fight against sprawl, but generally have been used more often in rural/suburban locations than in high-density urban areas.

The protection of wetlands and floodplains as a municipal and regional watershed management tool has gained increased recognition and support. Jurisdictions are requiring stream bank buffers, day lighting of piped natural waterways and prohibiting the drainage of natural wetlands. Trails within these areas provide desirable recreational and transportation amenities. While beneficial, the increase in land acquisition means increased maintenance and operating expenses at the local level, and must be recognized. One city that appears to be effectively handling these challenges is Portland, which must facilitate between the Portland Parks and Recreation Department and the METRO open space acquisition entity. Philadelphia, however, may be suffering from its entrenched organizational division based on “land protection” vs. “amenities for the people”. The broad definition and “protection” aspect of open space in many of these land measures also means that the majority of money and acquisition will occur outside of core urban areas.

The following mechanisms and tools have been used in the past decade to acquire, protect and maintain open space around the country. They are in addition to annual general fund allocations for parks and recreation operations improvements and acquisitions, and are based on the notion of utilizing development rights to acquire open space at a reduced public cost.

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<sup>85</sup> Steve Lerner and William Poole. *The Economic Benefits of Parks and Open Space*. San Francisco: The Trust for Public Land, 1999: p15.



## **Purchase of Development Rights**

Acquisition of development rights allows the continuation of private ownership of property, while limiting its use to specific purposes, such as wildlife habitat, farming, pastureland, recreation or other uses. Advantages to the property owner are that ownership is retained, the property may continue to produce income for the owner, and certain tax advantages may be available. Under this arrangement, a municipality does not own property, but the municipality, nonprofit or preservation groups, acquire the “development rights” in some cases, and foster preservation of land use in others. A municipality may acquire the development rights to a particular site and retire the site for recreational purposes. The value of development rights is determined by establishing the difference in the market value of a site in its “fully developed use” vs. its existing use. In most states, including Georgia, the property owner’s tax liability is reduced by the reduction in property value caused by the loss of development potential.

## **Farmland Protection Program**

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), through the Farmland Protection Program, provides funds to acquire development rights on qualifying land, not to exceed the fair market value of the development rights and limited to 50 percent of the purchased price. State and local governments with existing farmland protection programs are eligible, and the 2002 Farm Bill expanded the program to include non-governmental organizations such as land trusts. Under the NRCS program, a Federal contingent right is incorporated in the deed to protect the Federal investment should the cooperating entity terminate, default or divest itself from an easement. No public access is required, but may be included in the agreement. Historic farm sites may also be eligible for funds under the NRCS program, such as the funds used to acquire the Volder’s Farm, the last remaining farm in DeKalb County.

## **Conservation Easements**

A conservation easement is a legal instrument through which a landowner voluntarily agrees to give up certain uses of his land, or development rights, to protect one or more conservation values. These can be permanent or for a specified tenure. Easements are donated or purchased by municipalities or nonprofit land preservation groups. Agreements to provide public access for recreational purposes are commonly included in the agreement. The advantage of conservation easements is that a jurisdiction can protect environmental resources such as river and stream flood plains and adjacent areas, and create multi-use trails and other recreational amenities without having to fund the cost of outright acquisition. Similarly, recreational easements can be acquired for recreational uses such as trails, picnic areas or ball fields.

## **Multi-Purpose Easements**

Utility easements, such as sewer easements, offer opportunities for acquisition of linear pieces of land for greenway connectivity. Ideally, the right of public access can be legislated/incorporated into all or designated areas of new easements. For example, over half of Raleigh, North Carolina’s 40-mile greenway system is located on sewer easements, where more than 200 property owners have sold

greenway access rights to the City.<sup>86</sup> In 1989, the City of Raleigh enacted an ordinance requiring any new development occurring along the city's proposed greenway trail to provide greenway right-of-way and requires dedication of greenway access in the floodplain.<sup>87</sup> (Note: The issue of landowner liability for injury of pedestrians along the ROW is handled by Georgia's Recreational Property Act (O.C.G.A. 5120), which shields the landowner who donates a public access easement from liability except in the event of gross negligence.)

### **Transfer of Development Rights**

Transfer of Development Rights (TDR) programs are administered by local governments and generally fall into two types. In suburban or rural areas, where the goal usually is to protect significant amounts of farmland or forests, the geographic region is divided into two separate areas. One area is called the "receiving" area, where development is to be encouraged. In the second area, called the "sending" area, development is to be discouraged. At the onset of the program, each parcel in the areas is given a certain amount of development potential. Landowners in a designated "sending" area can sell their development rights to those in a designated "receiving" area. Developers in the receiving area can then build more densely than under existing regulations, while the "sending" area landowner enters into a conservation easement to permanently restrict development of their land.

In urban areas, where the goal usually is to create public parks and to protect historic buildings and sites, a sending parcel is defined by certain criteria such as character of property and location within a district. Certain types of properties such as view sheds, ancient trees, environmentally significant areas or neighborhood open spaces may be identified as a sending area in the city's land use plan. Historic properties may be required to demonstrate historic importance or to have a specific type of historic zoning designation. The sending parcel may sell the permissible development density that is currently not being utilized by existing on-site structures. A receiving landowner may purchase the development rights to build more units than the zoning otherwise permits. Such TDR programs allow all property owners to capture the potential development value of their land.

### **The Urban Park and Recreation Recovery (UPRR) Program**

The Urban Park and Recreation Recovery (UPRR) Program of the National Park Service provides direct federal matching assistance to cities and urban counties for rehabilitation of existing recreation facilities. Although the House-passed version of the appropriation bill included \$30 million for the UPARR grant program, and the Senate version proposed \$10 million, Congress passed and the President signed the consolidated appropriations package, which eliminated funding for UPARR in FY 2003.<sup>88</sup> Public Law 95-625, authorizing \$725 million to provide matching grants, established the Urban Park and Recreation Recovery (UPARR) program in November 1978 and technical assistance to economically distressed urban communities. The purpose of the program was to provide direct Federal assistance to urban localities for rehabilitation of critically

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<sup>86</sup> [www.raleigh-nc.org/parks&rec/greenway](http://www.raleigh-nc.org/parks&rec/greenway)

<sup>87</sup> "Master Plan."

<sup>88</sup> [www.nrpaa.org/story.cfm](http://www.nrpaa.org/story.cfm)

needed recreation facilities. The law also encouraged systematic local planning and commitment to continuing operation and maintenance of recreation programs, sites, and facilities. Only cities and urban counties meeting established criteria are eligible for assistance.

Three types of grants have been available through the UPARR program - Rehabilitation, Innovation, and Planning. Rehabilitation grants provide capital funding to renovate or redesign existing close-to-home recreation facilities. Innovation grants usually involve more modest amounts of funding aimed at supporting specific activities that either increase recreation programs or improve the efficiency of the local government to operate existing programs. Planning grants provided funds for the development of a Recovery Action Program plan. To be eligible for Rehabilitation or Innovation grants a jurisdiction is required to maintain a current Recovery Action Program plan approved by the National Park Service. The Recovery Action Plan serves both as a guide to local action planning and as a statement of a community's commitment to the revitalization goals of the UPARR program. The National Park Service awards \$28.9 million in UPARR grant monies to 71 cities and counties across the nation for the FY 2002 UPARR grant round. 191 proposals were received from local governments across the nation.<sup>89</sup>

The City of Atlanta was awarded \$826,000 UPRR Federal Share, in fiscal year 2002, for the renovation of the South Bend Neighborhood Center. The 50-year old facility will have its old walls, roof, and flooring replaced, a new heating/air conditioning system installed, and access improvements will be made to meet current ADA regulations.

### **Other Federal Departments Linked with Recreational Programs**

Recreational facilities, services and programs can often be assisted by certain Federal Social Programs, such as Incentive Grants for Local Delinquency Prevention Programs (Department of Justice) and the 21<sup>st</sup> Century Community Learning Centers Program (Department of Education). These Departments also have variety of services that can assist distressed urban areas and may be linked with recreational facilities and activities.

### **Wildlife Restoration Act**

The Wildlife Restoration Act funds are apportioned by the Department of the Interior, Fish and Wildlife Service, to each state based on the state's land area and number of hunting license owners. Funds are derived from an 11 percent Federal excise tax on handguns and a 12.4 percent tax on archery equipment. Funds can be used for the selection, restoration, rehabilitation and improvement of wildlife habitat, as well as hunter education.<sup>90</sup>

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<sup>89</sup> [www.nrpa.org/story.cfm](http://www.nrpa.org/story.cfm)

<sup>90</sup> [www.nrpa.org/story.cfm](http://www.nrpa.org/story.cfm)

## **Non-Governmental and Partnership Options**

### **“Friends,” Nonprofit Organizations and Partnerships**

“Parks Friends” nonprofit groups range from voluntary additional upkeep to contractual “takeover” of management of specific parks. Best known is the private, nonprofit Central Park Conservancy, which has a contract with the NYC Parks and Recreation Department to maintain Central Park.<sup>91</sup> Many types of “friends” groups exist throughout the nation. The Neighborhood Space nonprofit entity in Chicago handles maintenance of small urban open spaces and parks acquired by the City. The Piedmont Park Conservancy, The Grant Park Conservancy and the Olmsted Park Conservancy are examples of such successful organizations in Atlanta. Park Pride is a non-profit that works closely with the Atlanta Department of Parks, Recreation and Cultural Affairs to garner support from corporations and non-profits and that initiates numerous community park activities. Park Pride also spearheaded the Parks 911 organization, which made specific recommendations for improving the parks and recreation program in Atlanta.

### **Park Trusts**

Individual parks may have a dedicated maintenance trust. These may be administered by a local government, but more often are administered by a nonprofit or a larger foundation that enters into an agreement with the local government. Parks Trusts are often initiated by a large individual or corporate donation, sometimes in conjunction with a challenge donation program whereby other donations are matched 1 or 2 to one. Individuals are often more attracted to contributing to a trust program for a particular park that they love and enjoy than to a larger park program. Donations have tax advantages and can be promoted as such and “Friends” organizations may sponsor special events for the Trust.

### **Public Education of Open Space Benefits**

In addition to utilizing these specific tools and combinations thereof, some open space advocates and those within the Parks and Recreation field are attempting to reposition open space and parks/recreation in the minds of the public and elected officials. Historically considered more as nonessential services meeting the needs of a narrow segment of users, parks, open space and recreation are increasingly being promoted for their overall public benefits. These community benefits include economic development (e.g. supportive of tourism, attraction of employers, enhancement of real estate values, etc); alleviating social problems (preventing youth crime, healthy lifestyles and stress alleviation); and environmental stewardship (historic preservation, preservation of the natural environment, clean air and water, etc).<sup>92</sup> This movement can only enhance the opportunities for future funding and support of open space initiatives going forward and improve the chances for success of the tools previously described. A clear and consistent mission and goals by the local government for such programs is essential to ongoing constituent commitment.

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<sup>91</sup> “Public-Private Partnership”. Central Park Conservancy website, accessed on October 8, 2002.

<<http://www.centralparknyc.org/cpc-public-private.html>>

<sup>92</sup> Crompton, John. Parks and Economic Development. Chicago: The City Parks Forum and American Planning Association PAS Report Number 502, 2001: p2-3.

## **Corporate Sponsorships and Donations**

Corporations are often willing to sponsor the improvement or maintenance of smaller parks in exchange for a recognition plaque and other acknowledgments of their contribution. Parks that are located adjacent to or near corporate offices are often the easiest to have sponsored. Though sometimes controversial, ongoing revenues can be generated for maintenance by a judicious use of corporate funding in exchange for specific marketing rights. These are most successful in high traffic spaces and special event venues, where higher marketing fees may be charged.

Certain types of corporations may be willing to donate materials or labor for special events or for construction projects. The Swift Creek Recycled Greenway in Cary, North Carolina, received a total of \$40,000 in donated construction materials and labor, which made this trail an award-winning demonstration project.<sup>93</sup> In Atlanta, Blue Circle Concrete provides the PATH Foundation with concrete for recreational trails at near cost.

## **Individual Contributions to Construction**

A popular funding mechanism has become the individual's contribution towards landscape construction costs, such as the purchase of brick pavers inscribed with a name requested by the purchaser. Through this method, communities have contributed to the initial construction of numerous projects around the country. Portland's Pioneer Square was largely paid for with brick purchases. Atlanta's Centennial Olympic Park was able to capitalize on the future park's central location during the 1996 Olympics to attract brick purchasers from around the region. Similar types of contribution programs include High Point, North Carolina, for example, helped to fund a greenway project with \$5000 from its "Buy-a-Foot" campaign, in which linear greenway feet were sold for \$25/ft.<sup>94</sup>

## **Fee for Use and Income Generating Activities**

Specialized facilities and programs generate revenue to maintain themselves and support funding of others. While common methods include charging for reservation of facilities for private functions and out-of-district usage fees, some municipalities have created or entered partnerships for new programs for profit making purposes. For example, Sacramento has turned a problematic central city park into a vibrant town square with careful event planning and concessions management.<sup>95</sup> While the city covers the park's basic maintenance costs, a public/private partnership concentrates on creating worthwhile programs and activities in the park and running the concessions at a profit. This allows them to put their earnings back into park enhancements and services. In Boston, a public-private partnership financed the design and construction of Boston's Post Office Square that sits atop a belowground parking garage. Fees from the parking garage are targeted to repay capital costs and ongoing maintenance.

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<sup>93</sup> "Funding Sources for Greenway Projects".

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<sup>95</sup> "Economic Activities and Concessions". Urban Parks online, Project for Public Spaces website, accessed October 8, 2002. <<http://pps.org/topics/funding/econactivity>>

## **Land Trusts**

Certain nonprofits, such as the Nature Conservancy, The Trust for Public Land, The Conservation Fund and others, actively seek out opportunities to permanently acquire Development Rights and Conservation Easements. Many jurisdictions that utilize acquisition of development rights or Transfer of Development Rights (TDR) programs as part of open space protection ordinances rely on Land Trusts to facilitate and sometimes hold the transferred development rights. Sometimes the land trust handles the administration and initial acquisition of property under pressure for development, with the understanding that the municipality will later acquire the property from the trust. For example, The Trust for Public Land (TPL) facilitated the acquisition of a 50-acre former rail yard for the city of Santa Fe, New Mexico, and as the initial nonprofit acquirer, saved the city \$8 million in acquisition costs.<sup>96</sup> The city is keeping 10 acres for a public park and will sell the remainder to cover the acquisition cost. In Atlanta, TPL's initiatives have included the acquisition of Whittier Mill Park, the 52-Acre "Wood" in southwest Atlanta, a conservation easement along the Chattahoochee River and expansion of the Martin Luther King Jr., National Historic District. The Nature Conservancy facilitated the acquisition of the Wildwood Nature Preserve in Northeast Atlanta. Other Atlanta parks have also been acquired with the assistance of TPL, TNC and local land trusts.

## **Foundation and Affinity Group Funding**

Private foundations have awarded grants for open space and greenways in a variety of communities. Some of these foundations that favor open space related grants include the American Greenways Eastman Kodak Awards, the Lila Wallace Foundation, and the REI Environmental Grants. Many foundations, however, will only award grants to private nonprofit organizations; thus, partnership with private nonprofits by the municipality is unusually necessary. Organizations such as The Piedmont Park Conservancy, The Grant Park Conservancy and the Olmsted Park Conservancy have successfully utilized this type of funding. Conversely, certain foundations, such as the PATH Foundation, routinely work with local governments to acquire land and develop recreational amenities.

## **Lease-purchasing<sup>97</sup>**

A lease-purchase is a type of legal agreement whereby a city or county finds a bank, leasing company, nonprofit organization, etc., willing to purchase the targeted property. The purchaser then leases the land to the city or county which makes a regular appropriation for "rent." The rent consists of principal and interest payments. At the end of the lease, the local entity has completely reimbursed the lessor and it ends up owning the property. Cities and counties may sometimes use "certificate of participation" (COP) financing in conjunction with lease purchasing to acquire expensive tracts of land. Under this technique, the lessor purchases the desired open space, leases it to the local government, and receives a small fee for his/her services. The lessor then assigns the rights to receive lease payments to a trustee. The trustee, working with an underwriter,

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<sup>96</sup> "Reclaiming the Heart of Santa Fe: Parkland Acquisition". Urban Parks online, Project for Public Spaces website, accessed October 8, 2002. <[http://pps.org/topics/funding/landacq/success\\_santafe](http://pps.org/topics/funding/landacq/success_santafe)>

<sup>97</sup> "Putting Action into the Open Space Element". Governor's Office of Planning and Research, The State of California website, accessed on October 8, 2002. <[http://ceres.ca.gov/planning/open\\_space/financing.html#financing\\_anchor](http://ceres.ca.gov/planning/open_space/financing.html#financing_anchor)>

issues certificates of participation to individual investors who contribute to the property acquisition fund to reimburse the lessor. The COP is a bond-like security indicating the holder has an undivided interest in a percentage of the local government's lease payments. The local government annually appropriates funds for lease payments. The trustee then distributes the payments to the certificate holders. The percentage of the payment received by each such investor equals the percentage of the purchasing fund contributed by the investor. At the end of the lease, the city or county acquires title to the property.

Because it is similar to a lease, COP financing is not limited by statutory restrictions on long-term debt. Also, a city or county may issue COPs without a vote of the local electorate, unless local charter requires an election. The City of Carlsbad employed COPs in 1988 to acquire and preserved 52 acres of open space. The cities of Los Altos and Cupertino have also issued COPs for open space purposes. Both used their funds to acquire excess school district lands to expand or develop local parks.

## **Funding**

### **Local Funding Sources**

#### **Bonds**

Bonds are the most common method for jurisdictions to fund open space acquisition. In a bond program, local governments, with voter approval, borrow funds to buy open space and then pay off those funds in future years utilizing a future funding stream. Two of the most common ways for ensuring this future funding stream is through a temporary increase in the property tax mileage rate or sales tax for the duration of the bond payback period.

Unlike other methods, bonds provide a relatively speedy and efficient method to acquire open space. Provided the issuing government has a sufficient bond rating, bond money can be obtained with certainty and speed. This is of key importance in park space acquisition, where property value appreciation can eat away at local governmental buying power over time. Bonds allow communities in fast growing areas to acquire open space earlier and at a lower price than they otherwise would be able to. Park bonds also have the advantage of not competing with other public agencies for funding. Often, local governments are forced to choose between allocating general funding between police, roads, parks, and other facilities. Bonds eliminate this.

In the Atlanta area voters in several jurisdictions have approved bonds for open space acquisition and improvement. The 2001 Quality of Life Bond in the City of Atlanta included \$26.95 million for public plazas and green space improvements, including land acquisition and improvements.<sup>98</sup> Similarly, in March 2001 DeKalb County voters approved a \$125 million general obligation park bond, of which at least 70% must be used for land acquisition.<sup>99</sup>

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<sup>98</sup> City of Atlanta Bureau of Planning 2001 General Obligation Bond website. <http://www.ci.atlanta.ga.us/citydir/dpdnc/greenbond.htm> (accessed: 17 January 2003).

<sup>99</sup> DeKalb County Greenspace website. <http://www.co.dekalb.ga.us/greenspace/bond.htm> (accessed: 17 January 2003).

## Development Impact Fees

Development impact fees are a one-time charge on new development intended to cover the public costs generated by that new development, such as the need for new schools, roads, police stations, and parks. They are intended to ease the financial burden on existing residents of paying for growth. Because impact fee-based programs require large amounts of money in order for land acquisition to be feasible, impact fee programs are most effective in high-growth areas. Even then, it often takes a long period of time to accumulate enough funds to buy land, during which time the cost of potential park space has likely increased.

Park impact fees are being used increasingly throughout the Atlanta metro region to fund the demand for new parks that growth generates. Of the fourteen governments in the Atlanta region that use impact fees, ten, including the City of Alpharetta, City of Atlanta, City of Fayetteville, Peachtree City, City of Roswell, City of Kennesaw, City of Acworth, City of Canton, City of Tyrone, and Cherokee County, use impact fees to fund parks.<sup>100</sup>

The City of Atlanta is divided into three districts for impact fee purposes. Each district has its own impact fee rate. As projects are built in each area the fees are put into a fund. The City may then use these funds on projects that meet all of the following criteria:

- The project is identified in the CDP; and
- The project will expand the capacity of the City's park system so as to accommodate future development, and is identified as such in the City's Capital Improvements Program; and
- The project involves the acquisition and/or development of parkland, rather than the construction of recreation facilities.

The City then typically uses impact fee funds to leverage state or federal funds.<sup>101</sup> As an example of the value of using this technique in fast-growing areas, the City's program estimates annual additions per service area of \$300,000-\$400,000 in the fast-growing North district, but only \$50,000 in the South and \$0 in the West.

## Sales Tax

In Georgia special sales taxes can be used to fund open space acquisition. Georgia allows counties to, with voter approval, enact Special Purpose Local Option Sales Tax (SPLOST) for specific tenure with a dedicated percentage going to open space acquisition. In many cases, this funding can be used to leverage other state and federal funds or pay back park-related bonds.

The Georgia Municipal Association supports state legislation to allow a Municipal Options Sales Tax of one cent, to raise money within city boundaries for local projects. One hundred fifty Georgia counties currently

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<sup>100</sup> Frankston, Janet. "Impact Fee Proposals Gain Ground in Exurbs," The Atlanta Journal-Constitution January 6, 2003: p. D6.

<sup>101</sup> City of Atlanta Bureau of Planning Park Impact Fees website.  
<http://www.ci.atlanta.ga.us/citydir/dpdnc/parkimpact.htm> (accessed: 17 January 2003).



take advantage of the local options sales tax, but cities argue that they do not get their fair share.<sup>102</sup>

Gwinnett County, Georgia, utilizes a portion of their SPLOST to fund open space acquisition. In November 2000 Gwinnett County voters approved an additional 1% sales tax over 4 years that is expected to generate between \$450-\$750 million for open space and park acquisition.<sup>103</sup> Similarly, Sonoma County, California, has a 20-year 0.25% sales tax which funds open space. The tax measure also required approval for the establishment of Sonoma County Agriculture Preservation and Open Space District, whereby open space is acquired within the categories of agriculture, greenbelts, natural resources, and recreation.

## **Real Estate Transfer Taxes**

A real estate transfer tax is a tax imposed on the seller or grantor of real estate at the time of closing. The tax, which may be enacted by the state, country, or city, is based on a percentage of the transfer value, usually between one and two percent of the sale price. Real estate transfer taxes are only really effective at generating open space monies if placed on all real estate transactions.

Many places use real estate transfer taxes to fund park space. Florida funds a statewide parkland acquisition program through a statewide tax, while Minneapolis funds its Parks and Recreation District this way. Howard County Maryland uses real estate taxes to fund its PDR program, which is primarily used to preserve farmland. Howard County's payment method to landowners is unique. Called an Installment Purchase Agreement (IPA), the County pays the landowner the principal amount after 30 years. The County purchases and sells zero coupon bonds, 30 year maturity, to pay the principal, and pays the landowner tax-free interest semi-annually, over the 30 year period, at a rate based on the current U.S. Treasury bond yield and not less than 6.5%. IPA's can be transferred and can provide deferral of capital gains taxes. Because the IPA program is a general obligation of the County, an enabling ordinance is passed each fiscal year authorizing the amount that can be spent for easements that year based on projections of the real estate tax revenues.

## **Special Assessments**

Special assessments are fees levied upon property owners in a given area in order to purchase and maintain open space. The owners must be the beneficiaries of the open space and the size of individual assessment levies must be proportional to the amount of per-parcel "special benefit" which the property receives. This is typically done through an added property tax mileage rate. This method is difficult to employ in high land value/poor income areas, but can be used in other areas to directly fund open space or leverage additional monies.

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<sup>102</sup> The Atlanta constitution and Journal, Horizon, January 6, 2003

<sup>103</sup> "Master Plan". Open Space and Greenways, Park and Recreation Department, Gwinnett County website, accessed on October 8, 2002. <<http://www.co.gwinnett.ga.us/cgi-bin/bvgwin/egov/page.jsp?pm=Departments%7CCommunity+Service&sm=Parks+%26+Greenways>>

Special assessments are often part of a business improvement district (BID). In a BID, businesses vote to create a self-imposed tax on commercial properties to support the health, safety and upkeep of a predetermined geographic area. One of the best-known examples of a BID using self-imposed funds to revitalize a park is at Bryant Park in New York City, which has rejuvenated the surrounding commercial district.

### **Tax Allocation District/Tax Increment Financing**

Tax Increment Financing (TIF) and a Tax Allocation District (TAD) are two different terms for the same public improvement financing mechanism. In this program, a local government issues bonds while new developments are being built and then uses the money to fund public improvements associated with that development. When the project is finished, these bonds are repaid by the increased property taxes generated by new development. While these programs are typically used to fund public infrastructure and streetscapes, they may also be used to fund public parks and plazas associated with said developments.

TIF/TAD programs are used in the City of Atlanta to fund limited park space projects. The Westside TAD is used to fund improvements to the areas around Centennial Olympic Park. The Atlantic Steel Brownfield TAD was used to finance public improvements that will support the Atlantic Station project. Open spaces in the project, while privately owned, will be accessible to the public at-large.

## **Federal Funding Sources**

### **Indirectly Related Federal/State Funds**

The acquisition of open space can sometimes be achieved by dovetailing with other Federal initiatives and extracting portions of grant money available in other programs. North Carolina's Clean Water Management Trust Fund allows local governments, state agencies and conservation nonprofits to apply for grants for projects aimed at the protection, clean up and conservancy of the state's natural waters. The acquisition of riparian buffers (or easements of these properties) for the protection of surface waters, and the establishment of greenways have qualified for this program. Historic preservation grants may also be utilized for acquisition of historic sites or corridors. Air quality grants may be used to create bike or walking opportunities that are also part of a commuter transportation system. Schools and Universities may provide public access to campus open space or recreational areas acquired with state funds. Federal Environmental and Habitat oriented programs that can be tapped into include the Federal Emergency Management Agency (FEMA) Watershed Protection and Flood Prevention Grants, and the Urban and Community Forestry Assistance Program.

## Land and Water Conservation Funds

The National Park Service's Land and Water Conservation Funds (LWCF) program uses offshore oil leasing revenues to provide matching grants to state and local governments for the acquisition and development of outdoor recreation areas and facilities. The program is intended to create and maintain a nationwide legacy of high quality recreation areas and facilities and to stimulate non-federal investments in the protection and maintenance of recreation resources across the United States. All grants require a minimum 50 per cent match by the non-Federal partner.

In Georgia the program is administered through the Georgia Department of Natural Resources. The state distributes funds based on the results of a statewide competition for the amount available (including the new year allocation, any previous year allocations, and any amounts 'recovered' due to cost under runs on earlier projects funded). Applications are scored and ranked according to the project selection criteria so that only the top-ranked projects are chosen for funding. Selected applications are then forwarded to the National Park Service for formal approval and obligation of federal grant monies.<sup>104</sup>

## From Brownfields to Parks

In urbanized areas, where undeveloped land for open space is scarce or non-existent, so-called "brownfields" represent the greatest opportunities for increasing meaningful park space. The Small Business Liability Relief and Brownfields Revitalization Act defines a brownfield as "real property, the expansion of, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substance, pollutant, or containment."<sup>105</sup> The US Conference of Mayors has identified brownfields as the number one environmental issue in the nation.<sup>106</sup>

Brownfields may include former industrial sites, harbors, rail yards, landfills, service stations, and similar land uses that are often associated with environmental contaminants. Often initially developed prior to urban expansion, many brownfields occupy larger tracts than could otherwise be found in urbanized locations. Additionally, because brownfield sites have often languished unutilized for years, they have often had a negative economic, environmental and psychological impact on the surrounding residential neighborhoods, which, in the case of industrial sites, were often times developed as worker's housing.

According to the Trust for Public Land, there are an estimated 450,000 brownfield sites in the country.<sup>107</sup> Many of these sites present opportunities for creating park space in areas where it might otherwise be unfeasible or

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<sup>104</sup> National Park Service LWCF website. [http://www.nps.gov/lwcf/plan\\_prjts.html](http://www.nps.gov/lwcf/plan_prjts.html) (accessed: 17 January 2003).

<sup>105</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. p. 3.

<sup>106</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. p. 3.

<sup>107</sup> Trust for Public Land. December 21, 2001. *TPL Praises Congressional Vote*. Washington, DC. Trust for Public Land.

undesirable. They also present opportunities to revitalize adjacent neighborhoods as part of a process that includes removing environmental contaminants, visual blight and hindrances to economic development and replacing them with quality public spaces that improve the quality of life for area residents and support renewed revitalization.

### **Challenges to the conversion of brownfields**

Significant challenges exist to efforts to convert brownfields into park space. The greatest challenge is the complexity of laws governing brownfield redevelopment. Closely related to this is the issue of liability associated with site contamination, real or perceived. On many brownfield sites it is nearly impossible to determine what contaminants, if any, are present, and to what extent. In many cases, the companies that once operated on these sites are no longer in business or did not keep records of what pollutants were generated or how they were disposed of. This is significant, because the cost of site remediation can run well above several million dollars.

Under the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) private parties can be responsible for remediation of contaminants on sites eligible for inclusion on the National Priorities List; these sites are commonly known as Superfund sites. The following parties may be liable for the cost of cleaning such sites:

- Owner or operator of the facility at the time of disposal of hazardous substances;
- Current owner or operator of the facility;
- Person who generated or arranged for the disposal or treatment of hazardous substances; or
- Transporter of the hazardous substances, if this person selected the disposal or treatment site.

The United States Environmental Protection Agency (EPA) estimates that approximately 10% of brownfields are considered for the National Priorities List with less than 1% actually placed. Therefore, at least 99% of potential brownfields across the country are not affected.<sup>108</sup> Even so, for many parties, fear of being one of the affected 1% of sites is enough to discourage them from revitalizing such places.

Amendments to CERCLA made in 2002 under the Bush Administration have lessened liability by would-be purchasers. Now, a “bona fide prospective purchaser” may purchase a brownfield site that would otherwise make them liable for cleanup, provided appropriate due diligence is undertaken.<sup>109</sup> It is the intent of the Administration that these changes make it easier to convert brownfield sites into contributing parts of their communities.

Another challenge that may be associated with converting brownfields into parks is the sometimes confusing issue of property ownership. Often it is difficult to determine clear title of brownfield sites. Companies that developed the sites may no longer in business and ownership has transferred to a series

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<sup>108</sup> United States Environmental Protection Agency. 1998. EPA Publication Number: EPA 330-B-98-001: *Handbook of Tools for Managing Federal Superfund Liability Risks at Brownfields and Other Sites*. p. 3.

<sup>109</sup> BREEN, B., Director of EPA Office of Site Remediation Enforcement. May 31, 2002. Memorandum to Superfund Senior Policy Managers and Regional Counsels.

of descendants. Other times, utility or railroad easements may traverse brownfields and further complicate the process. While such problems are not unique to brownfields, they nevertheless should be taken into consideration as part of due diligence.

A key to fully understanding the complexity of the brownfield issue is involving legal counsel, the EPA, and the Georgia Environmental Protection Division early on in the process to avoid future problems.

### **Opportunities to act on brownfield conversions**

The Small Business Liability Relief and Brownfields Revitalization Act provide significant assistance for returning brownfields into productive use, including open space. A key to this act was the *Brownfields Federal Partnership Action Agenda*, a self-described “focused effort of over twenty federal agencies, making over one-hundred commitments to work together in a timely manner to help communities most effectively prevent, assess, safely clean up, and sustainably reuse brownfields.”<sup>110</sup>

Although not specifically focused on efforts to convert brownfields into open space, the Action Agenda contains several commitments that provide significant support for brownfield-to-open-space efforts. The following summarizes opportunities for various federal agencies that support open space efforts.

- The Environmental Protection Agency (EPA) will provide a projected \$850 million through 2007 to states, counties, tribes, municipalities and non-profit groups for brownfield assessment, clean up and job training through brownfield state/tribal grants. The Brownfields Cleanup Revolving Loan Fund (BCRLF) makes low interest loans to facilitate the cleanup and redevelopment of brownfield properties, and can provide up to \$1,000,000 per year over five years for each project. In addition, these efforts will focus on ensuring that all brownfield efforts support the Federal Government’s “Environmental Justice” objectives, a position that could support efforts to increase open space in traditionally under-served neighborhoods.<sup>111</sup>
- The Army Corps of Engineers has partnered with the EPA to establish eight pilot projects addressing restoration of degraded urban rivers and fostering interagency and stakeholder partnerships that promote a shared understanding of integrated solutions to water resources management within watersheds and river basins. They have also increased the use of collaborative approaches to water resources problems, seeking, whenever feasible, to leverage Civil Works projects with the economic, environmental, and social goals of brownfields pilot communities.<sup>112</sup>

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<sup>110</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. Executive Summary.

<sup>111</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. p. 19.

<sup>112</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. p. 15.

- The United States Department of Agriculture provides education programs and training for brownfield landscaping projects (such as Master Gardener, pesticide applicators, and youth development workshops)<sup>113</sup>. Such support directly benefits communities attempting to create open spaces out of existing brownfields.
- The Brownfield Economic Development Initiative (BEDI) is a program of the Department of Housing and Urban Development (HUD) that provides funding to local governments to be used in conjunction with Section 108 (CDBG) loan guarantees to finance redevelopment of Brownfields sites.<sup>114</sup> BEDI is an economic development program designed to assist cities with the redevelopment of environmentally contaminated abandoned, idled and underused industrial and commercial facilities. HUD's goal with this program is to create jobs in low and moderate-income areas through the cleanup of brownfields.

### **Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)**

Federal transportation dollars authorized under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) can be used to fund a portion of parks and open space investments that qualify as transportation improvements. There are various types of TEA-21 funds that have been used for parks and open space purposes, including Transportation Enhancement (TE) funds, Recreational Trails Program funds, and Congestion Mitigation and Air Quality Improvement program (CMAQ) funds.

#### ***Transportation Enhancement (TE) Funds***

Transportation Enhancement funds provide for programs that increase alternative modes of transportation, enhance recreation, and protect the environment. It provides for the implementation of a variety of projects, including restoration of historic transportation facilities, bicycle and pedestrian facilities, and landscape beautification. New authority expands the definition of TE eligibilities to include: provision of safety and educational activities for pedestrians and bicyclists; scenic or historic highway programs; environmental mitigation of water pollution due to highway runoff, reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and establishment of transportation museums.<sup>115</sup>

A key to park and open space creation, particularly in developed areas, is the provision that allows projects with a current or past relationship to transportation, but aren't transportation facilities themselves, to qualify for funding. Through this, sites such as historic docks, bus terminals or rail sites can qualify for conversion to open space.

In Holly Springs, Georgia, TE funding was used to convert a historic rail depot into a community center. Similarly, in Douglas Georgia the National

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<sup>113</sup> United States Environmental Protection Agency. 2002. *Brownfields Federal Partnership Action Agenda*. Washington, DC. p. 9.

<sup>114</sup> <http://www.hud.gov/offices/cpd/economicdevelopment/programs/bedi/index.cfm>

<sup>115</sup> National Recreation and Park Association website.

[http://www.nrpa.org/story.cfm?story\\_id=81&publicationID+11&departmentid+6](http://www.nrpa.org/story.cfm?story_id=81&publicationID+11&departmentid+6) (accessed: 17 January 2003).

Transportation Enhancement Clearinghouse reports that \$800,000 in TE funds were used for, “installation of street furniture and pedestrian-scale lighting that complements the historic character of downtown, and the development of urban spaces or ‘pedestrian courts’ at the corners of each block and at mid-block locations”.<sup>116</sup>

The Silver Comet Trail, which runs 38 miles from Smyrna, Georgia to Rockmart, Georgia, is part of a planned 57-mile multi-use recreational trail within an abandoned rail corridor. The trail was funded with \$9,359,000 of TE funds and \$4,141,000 in matching funds, primarily from the PATH Foundation. TE funds were used in Atlanta to build the East Atlanta Trolley Trail, a multi-use trail that runs through Wesley Coan Park, and a portion of the Freedom Park Trail.

### ***Congestion Mitigation and Air Quality Improvement Program (CMAQ)***

The purpose of CMAQ is to realign the focus of transportation planning toward a more inclusive, environmentally sensitive, and multi-modal approach. The CMAQ program provides funding for programs and projects in air quality non-attainment and maintenance for ozone, carbon monoxide, and small particulate matter that reduces transportation related emissions. It is often used to fund trail and streetscape projects.<sup>117</sup>

### **Recreational Trails Program**

This program provides funds to develop and maintain recreational trails for motorized and non-motorized recreational trail users. Eligible projects are: maintenance and restoration of existing recreational trails; development and rehabilitation of trailside and trailhead facilities and trail linkages; purchase and lease of recreational trail construction and maintenance equipment; construction of new recreational trails; acquisition of easements or property for recreational trails or recreational trail corridors; state administrative costs related to program administration; and operation of educational programs to promote safety and environmental protection as these objectives relate to the use of recreational trails.<sup>118</sup>

### **Community Development Block Grants**

The Community Development Block Grant (CDBG) Program, authorized under the Housing and Community Development Act of 1974, is a federal grant that can be used to assist non-entitlement local governments with open space land acquisition projects. The program consists of two different funding sources for different government types. “Entitled” governments (center cities

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<sup>116</sup> National Transportation Enhancement Clearinghouse. *Transportation Enhancements Fact Sheet: Activity* 5. Washington, DC: National Transportation Enhancement Clearinghouse.

<sup>117</sup> National Recreation and Park Association website.  
[http://www.nrpa.org/story.cfm?story\\_id=81&publicationID+11&departmentid+6](http://www.nrpa.org/story.cfm?story_id=81&publicationID+11&departmentid+6) (accessed: 17 January 2003).

<sup>118</sup> National Recreation and Park Association website.  
[http://www.nrpa.org/story.cfm?story\\_id=81&publicationID+11&departmentid+6](http://www.nrpa.org/story.cfm?story_id=81&publicationID+11&departmentid+6) (accessed: 17 January 2003).

in a metropolitan area, urban counties, or cities with populations of 50,000 or more) are eligible for traditional CBDG funding, while “non-entitled” governments (all other areas) are eligible for funds under Section 108. In order to be eligible a project must meet all applicable CBDG regulations and result in significant employment and/or benefit for low and moderate-income persons.

According to the Department of Housing and Urban Development,

“Over a 1, 2, or 3 year period selected by the grantee not less than 70% of the CBDG funds must be used for activities that benefit low- and moderate-income persons. All activities must meet one of the following national objectives for the program: benefit low- and moderate-income persons, prevention or elimination of slums or blight, (sic) community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community.”<sup>119</sup>

CDBG funds have been used by the City of Atlanta to fund a variety of park projects, including a portion of Whittier Mill Park, the Westside Trail from Washington Park to Anderson Park, and land acquisition for the Cleveland Avenue Park and associated gymnasium.

### **The Urban Park and Recreation Recovery (UPRR) Program**

The Urban Park and Recreation Recovery (UPRR) Program of the National Park Service provides direct federal matching assistance to cities and urban counties for rehabilitation of existing recreation facilities. Although the House-passed version of the appropriation bill included \$30 million for the UPARR grant program, and the Senate version proposed \$10 million, Congress passed and the President signed the consolidated appropriations package, which eliminated funding for UPARR in FY 2003.<sup>120</sup> Public Law 95-625, authorizing \$725 million to provide matching grants, established the Urban Park and Recreation Recovery (UPARR) program in November 1978 and technical assistance to economically distressed urban communities. The purpose of the program was to provide direct Federal assistance to urban localities for rehabilitation of critically needed recreation facilities. The law also encouraged systematic local planning and commitment to continuing operation and maintenance of recreation programs, sites, and facilities. Only cities and urban counties meeting established criteria are eligible for assistance.

Three types of grants have been available through the UPARR program - Rehabilitation, Innovation, and Planning. Rehabilitation grants provide capital funding to renovate or redesign existing close-to-home recreation facilities. Innovation grants usually involve more modest amounts of funding aimed at supporting specific activities that either increase recreation programs or improve the efficiency of the local government to operate existing programs. Planning grants provided funds for the development of a Recovery Action Program plan. To be eligible for Rehabilitation or Innovation grants a jurisdiction is required to maintain a current Recovery Action Program plan

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<sup>119</sup> Department of Housing and Urban Development website.

<http://www.hud.gov/offices/cpd/communitydevelopment/programs/cdbg.cfm> (accessed: 17 January 2003).

<sup>120</sup>



approved by the National Park Service. The Recovery Action Plan serves both as a guide to local action planning and as a statement of a community's commitment to the revitalization goals of the UPARR program. The National Park Service awards \$28.9 million in UPARR grant monies to 71 cities and counties across the nation for the FY 2002 UPARR grant round. 191 proposals were received from local governments across the nation. <sup>121</sup>

The City of Atlanta was awarded \$826,000 UPRR Federal Share, in fiscal year 2002, for the renovation of the South Bend Neighborhood Center. The 50-year old facility will have its old walls, roof, and flooring replaced, a new heating/air conditioning system installed, and access improvements will be made to meet current ADA regulations.

### **Other Federal Departments Linked with Recreational Programs**

Recreational facilities, services and programs can often be assisted by certain Federal Social Programs, such as Incentive Grants for Local Delinquency Prevention Programs (Department of Justice) and the 21<sup>st</sup> Century Community Learning Centers Program (Department of Education). These Departments also have variety of services that can assist distressed urban areas and may be linked with recreational facilities and activities.

### **Wildlife Restoration Act**

The Wildlife Restoration Act funds are apportioned by the Department of the Interior, Fish and Wildlife Service, to each state based on the state's land area and number of hunting license owners. Funds are derived from an 11 percent Federal excise tax on handguns and a 12.4 percent tax on archery equipment. Funds can be used for the selection, restoration, rehabilitation and improvement of wildlife habitat, as well as hunter education. <sup>122</sup>

## **Zoning and Regulatory Incentives**

### **Site Planning Regulations and Zoning Regulations**

Current zoning regulations, though well intended, do little to ensure the creation and preservation of meaningful open space. Instead the cumulative effect of many regulations is to promote sprawl. Nevertheless, there are several ways that zoning regulations can promote creation and preservation of open space.

One such method is tightening the definition of open space to exclude "open space" that is unusable to community residents. Many zoning codes define "open space" as any area that is not covered by a building, including parking lots, drives and other such areas. The original purpose of this type of regulation was to prevent the creation of windowless residential units and to provide for adequate light and air between buildings. Over time, this original purpose has been forgotten and we have ended up with spaces that serve no legitimate use. By updating these codes to better define the character of the required open space, opportunities are created for establishing meaningful parks and plazas.

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<sup>121</sup> [www.nrpa.org/story.cfm](http://www.nrpa.org/story.cfm)

<sup>122</sup> [www.nrpa.org/story.cfm](http://www.nrpa.org/story.cfm)

An example of the importance of requiring open space to be useable occurred in the 1960s in New York City. In 1961 (a new zoning law (patterned on that of Chicago, which preceded it by a few years) pioneered the idea of making higher densities an incentive to providing ground level plazas and arcades. In the highest density districts of Manhattan, a developer who provided one unit of open space at or near the sidewalk level could build in return, ten extra units of floor area at the top. While well intentioned, the result of this was monumental plazas that were poorly designed for public use and devoid of human activity.

## **Mitigation Ordinances and Policies**

Mitigation ordinances are a new open space zoning protection technique used primarily for farmland protection. In 1995, city officials in Davis, California enacted an ordinance that requires developers to permanently protect one acre of farmland for every acre of agricultural land they convert to other uses. Generally, developers place an agricultural conservation easement on farmland in another part of the city, although paying a fee may also satisfy mitigation. While most of the regulatory farmland protection techniques restrict the property rights of farmers, the Davis mitigation ordinance makes developers pay for farmland protection.<sup>123</sup>

## **Conservation Subdivisions**

Many jurisdictions struggle with a way to create adequate recreational areas and protect important natural resources through subdivision regulations. Conservation subdivision zoning, also called cluster zoning or open space development ordinance, protects a substantial proportion of every development tract. A large portion, usually half, of a development parcel is protected while maintaining the fiscal equity held by property owners. This is accomplished through amendments to zoning regulations which allow the current permitted maximum development, or density, to remain the same or sometime slightly higher, while permitting new construction to be located on only half the parcel. The remaining open space is permanently protected under a conservation easement co-signed by a local conservation commission or land trust, and recorded in the registry of deeds.

Conservation Subdivisions are not difficult to administer and have no cost for the local government. They are extremely effective in permanently protecting historic and natural resources and ensuring that adequate open space is provided for a growing population. Gwinnett, Cherokee, Newnan and Fayetteville currently have effective conservation subdivision codes.

## **Economic Advantages of Conservation Subdivisions**

The economic advantages of this type of zoning include:

- Local governments do not have to raise property taxes to finance expensive open space acquisitions, or to purchase development rights, are not needed.

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<sup>123</sup> American Farmland Trust. 1998. *Farmland Protection Toolbox: Fact Sheet*.

- The property's development potential, is not taken away from the developer,
- Farmers, ranchers, and others who derive income from the land may continue to do so.
- Landowners who view their property as their "pension" no longer have to demolish their entire land holdings in order to retire with a guaranteed income, as their equity is not diminished.
- The State of Georgia provides property tax relief for the creation of recreation and conservation easements.
- Because of the shorter road system needed to serve lots in a cluster development, substantial savings are possible with respect to the construction of roads, sewers, and water lines.
- Property owners may realize more economic benefits than under current zoning.
- Maintenance costs are reduced on periodic road resurfacing and maintenance of utilities.
- Development costs, such as clearing of the land with bulldozers and providing for the management of storm water, are reduced.
- Homebuyers often pay less because of development cost savings.
- Open space zoning is easy to administer; jurisdictions are not faced with the administrative complexities, and associated costs, posed by TDR (transfer of development rights) systems.
- Developers are not placed under unreasonable constraints.
- Realtors gain a special marketing tool, in that views from the new houses and recreational amenities will be guaranteed by conservation easements protecting the open space from future development.
- Additional open space equates to a reduction in the costs of storm water management and water quality treatment.
- Future potential tax base is not diminished.

### **Quality of Life Benefit of Conservation Subdivisions**

Clustering development and protecting open space has quality of life benefits that dovetail with a number of other current public issues.

- Water supply is increased, by allowing more water to re-enter streams and rivers or recharge the underground water system.
- Water quality is improved because more storm water utilizes a natural filtration system.
- Air quality is improved by reducing length of vehicle trips.
- Air quality is also improved by reducing the size of the suburban area heat island. Heat is the factor that increases our air pollution to above safe levels every summer.
- Recreational opportunities are increased.
- Wildlife habitat is sustained.
- Community assets such as historic sites and view sheds are protected.
- Visual quality is improved by providing more green space.
- Improved health is achieved through providing more opportunities for recreation and by improved air and water quality.

## **Ensuring Effectiveness of Conservation Subdivisions**

Certain community values need to be addressed as part of Conservation Subdivision code regulations. A community may be concerned that the new development, which may have smaller lot sizes and setbacks, will not be in keeping with the existing character of the community. Regulations that address elements such as building setbacks, scale of buildings, and lot sizes can assure that development character meets the community's expectations. When existing pasture or agricultural land is protected, some communities may want to require an adjacent dense vegetative buffer area. New residences or businesses not accustomed to these types of uses may not anticipate activities that create dust or noise. Buffers can ensure that agricultural uses and new development remain good neighbors.

Maintenance of protected land needs to be addressed in the code regulations. When the continued use of the property is to be farming or forestry, the owner of these use rights needs to meet minimum maintenance regulations. When the protected areas are primarily used for recreation, there are several ways that maintenance can be addressed. Homeowner associations may be responsible for maintenance but this may limit public access. A maintenance trust may be created through a program whereby the first 2 years or so of taxes are funneled into a maintenance trust fund.

The size and shape the protected land is critical to its functional value, and minimum standards must be clearly spelled out in the code regulations. Without explicit criteria, a developer could circumvent the intent of the zoning by developing a conventional subdivision which meets the total open space requirement by setting aside a narrow ribbon of open space which runs along the edge of a development and between lots. Regulations should address certain resources such as streams and rivers which need adequate protections through generous buffer widths, should ensure that all open space is continuously connected, and should require that a substantial portion of the land, of minimum area and dimensions, is prohibited from development.

An understanding of regional ecosystems and identification of sensitive or important historic and natural resources that contribute to a community's character and identity is necessary for effective conservation. An environmental and historical resources survey and assessment can identify specific sites which should be given and priority and, when adopted as a land use policy in the jurisdiction's Comprehensive Development Plan, will provide a firm legal basis for such prioritization. Floodplains, wetlands, historic buildings and sites, slopes of more than 25%, and view sheds are areas that should be required to have permanent protection.

## **Storm Water and Watershed Management Opportunities**

### **Metropolitan North Georgia Water Planning District (MNGWPD)**

Created by the General Assembly in May 2001, MNGWPD is 16-county area surrounding the Metropolitan Atlanta Region, including Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Paulding Rockdale, and Walton Counties. It is charged with

establishing policy, creating management plans, and promoting intergovernmental coordination of all water issues within the district, including preparation of model ordinances. The completion of a draft management plan is scheduled for May 2003 and is in three parts: the Watershed Management plan, the Wastewater Management plan, and the Water Supply and Water Conservation Management Plan. Five policy goals are addressed in the plans are: Sustain economic development; Improve and protect water quality; equitably distribute benefits and costs; Integrate existing local water management measures; and Promote public education and awareness. Once the plans are completed, local governments are responsible for implementing the District plans, and the Director of the Environmental Protection Division (EPD) of the Georgia Department of natural resources will be responsible for ensuring that local governments implement the plans.

Model storm water management ordinances were adopted by the district Board in October 2002, and include Model ordinances for: Post-Development Storm water Management for New Development, and Redevelopment, Floodplain Management / Flood Damage Prevention, Conservation Subdivision / Open Space Development, Illicit Discharge and Illegal Connection, and Litter Control. A Draft Stream Buffer Protection Ordinance was not adopted at the time, so that recommendations for a minimum stream buffer width could be completed. State enabling legislation requires that model ordinances, or something at least as effective, be adopted by the District's local governments. Governments not complying will not be eligible for state grants. Once adopted, Georgia EPD will use its permitting authority to ensure that the plan and ordinances are implemented.

MNGWPD recognizes the importance of using watersheds as the framework for managing land use. A watershed is the area drained by individual streams or rivers. Upstream development affects the quality and quantity of down stream water and, in turn, the costs and complexity of downstream storm water problems. Principal storm water management principals can be summarized as:

- Use the watershed as the management framework;
- Require storm water management and erosion and sedimentation control for new development and redevelopment;
- Preserve the function of flood plains to reduce flood hazards and risks and protect water quality;
- Ensure that storm water management systems work and are retrofitted where needed; and
- Prevent storm water from coming into contact with contaminants and becoming polluted.

Currently, these principals are particularly difficult to implement because watershed boundaries do not follow political boundaries, where the majority of land use decisions are made. Storm water management must be applied uniformly throughout the watershed to be effective.

One of the most effective tools for acquiring and protecting public open spaces is coming out of MNGWPD's Water Management Plans and Model Storm Water Management Ordinances. MNGWPD is recommending a program whereby 40% of the land of any new development is public open

space.<sup>124</sup> This program would cost the local government nothing and would compensate the property owner through the transfer of development permission to the balance of the property. The property owner could even benefit from additional economic advantages by continuing to derive income from existing uses, such as timbering, farms and pastures and, under Georgia tax code, yield tax benefits. Additionally, if more than 40% of the property is within a floodway (a floodway is not permitted to be development under current State law) or other restricted area, the development permission can be transferred to a permissible on-site area, or sold or otherwise transferred to a property with less than 40% of restricted area. This type of land management results in a number of other economic and quality of life benefits, such as improved air quality, a stronger tax base and improved property values. (See Conservation Subdivisions.)

## **Non-profits and Property Tax**

Non-profit groups in Georgia, with some exceptions, are taxed on property they hold. In November 1998, Georgia voters approved new legislation exempting church parking lots and church headquarters from property taxes. The idea behind this referendum is that churches are serving the public good and are therefore exempt from property taxes.

An argument could be made that non-profit organizations incorporated for preserving and protecting open and green spaces may already qualify for an exemption from property taxes in the state of Georgia. According to the Official Code of the State of Georgia, Section 48-5-41 G, subsection (a), 1, (D) "Property which is held by a Georgia nonprofit corporation whose income is exempt from federal income tax pursuant to Section 115 of the Internal Revenue Code of 1986 and held exclusively for the benefit of a county, municipality, or school district shall be considered to be public property within the meaning of this paragraph." Clearly, a strong case can be made that a non-profit organization that holds, for example, 2 miles of stream bank for preservation purposes could make the argument that they are serving the public good. Politically, this argument would be very difficult to argue against in light of the tremendous support demonstrated by the public for many of the park and open space preservation initiatives that have been approved over the last decade.

## **Coordination of Initiatives**

The perception by respondents to the survey section of this study that there is limited cross-jurisdictional coordination within the metro Atlanta area is one of the hardest statements to refute. Very few examples exist regarding actual cooperation on specific projects. One successful collaboration that is instructive in its results is the renovation of the Olmsted Linear Parks in the Druid Hills section of the City of Atlanta. These parks overlap jurisdictions with responsibility for operations and maintenance being divided between the City of Atlanta and the DeKalb County governments. This project required the jurisdictions to coordinate the overall planning, design and construction of the sites. The historical significance of the sites, as the last major project designed by

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<sup>124</sup> "Model Stormwater management Ordinances" Metropolitan North Georgia Water Planning District, October 2003

Frederick law Olmsted, Sr., added an additional layer of complicated approvals necessary to implement the recommendations of the consultants hired by the City and County. A large part of the success of the project can be attributed to the efforts of the non-profit Olmsted Linear Park Alliance (OLPA) and Park Pride. OLPA is made up of representatives from area neighborhoods, Atlanta and DeKalb park professionals, while Park Pride is a volunteer organization that coordinates park improvement projects in Atlanta and DeKalb County. It is highly recommended that a detailed analysis of the process that resulted in the successful renovation of the Olmsted Linear Park be conducted for possible use in other areas within the metro region where cross-jurisdictional cooperation is necessary.

On a larger scale, the "Georgia Greenspace Program" represents an excellent opportunity for multi-jurisdiction cooperation in the matter of preservation of open space. The program was created by the Georgia General Assembly in the summer of 2000 and is managed by the State of Georgia Department of Natural Resources. The program allows qualified counties (population of 60,000 or greater or average annual growth increase of 800 persons) to receive a portion of \$30 million in state funds for acquiring undeveloped green spaces for permanent protection from development. Counties must prepare a plan demonstrating their commitment to the preservation of at least 20% of their geographic area as green space. County awards are based on the percentage of property tax each jurisdiction contributes annually to the State of Georgia.<sup>125</sup>

While the program is somewhat cumbersome in its level of detail required of each county government, it seeks to move quickly. In apparent recognition of the urgency of the matter of acquisition of new green spaces, the DNR demands that counties complete eligible acquisitions within 24 months of the receipt of state funds. The plan has been favorably received by virtually all of the metropolitan regions county and city governments. The fact that the program is optional seems to resonate well with governmental leaders and citizens. Hollis, Porter and Tischler concluded that the State of New Jersey's Open Space and Recreation and Farmland Preservation program is ineffective in part because local government adherence is optional<sup>126</sup>. However, The main weakness of the New Jersey Program seems to be that localities are only "encouraged" to adhere to guidelines et forth by the state, whereas in Georgia there is a clear mission of the program, which must be accepted by each local government: preserve 20% of the land of Georgia, permanently. See Figure 1 in Section VII for a map of eligible counties in 2003.

The costs of sprawl on society are measurable. There has been at least 500 "Cost of Sprawl" studies done that leave no uncertainty as to the costs to society in terms of air pollution, transportation, education, erosion of farm land and increased pollution of waterways.<sup>127</sup> With proper funding, the "Georgia Greenspace Program" is a powerful tool to combat sprawl and the inevitable reduction in "quality of life" that comes with it.

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<sup>125</sup> Georgia Greenspace Program, Program Description

<sup>126</sup> *"Livability and Affordability: Open Space Preservation and Land Supply*, Linda E. Hollis, Douglas R. Porter and Paul S. Tischler, The Growth Management Institute, June 2000

<sup>127</sup> Delaware Greenways Newsletter January, 2001, Volume 1, Issue 2

## VI. Recommendations

The opportunities for protection of openspace are enormous. These recommendations can and should be applied to any of the jurisdictions in metro Atlanta, except where specifically identified as relevant to certain jurisdictions below. Priority actions should include: identifying a dedicated funding source; identifying a single entity to coordinate private donations and land and easement acquisition; contracting with the private sector for routine maintenance activities such as mowing; working in conjunction with the Metropolitan North Georgia Water Planning District and EPD, with support from others, to assist in the expansion of metro-area green space systems, encouraging the installation of interconnected multiuse trails; educating the public on the economic, environmental and private tax benefits of such a metro-wide green space system; and amending antiquated Land Development Code regulations to accomplish green space goals.

The following summary of action items support the implementation of projects which address the most common open space needs expressed by the interview group, discussed above.

- F. large, centralized parks
- G. nature preserves
- H. active recreational areas
- I. multi-use trails
- E. a metro-wide linked system of green space, including all the above.

### Opportunities for Joint Efforts

As mentioned earlier in this document, the "Georgia GreenSpace Program" (GGSP) allocates \$30 million annually for the preservation of open space in Georgia to counties of at least 60,000 people that agree to protect at least 20% of their total land. This program provides a framework for cooperation among metro Atlanta counties in that the establishment of similar goals among communities that have submitted plans to GGSP is already done. Cities cannot access the program's funding mechanism without the cooperation of the county in which they reside. This form of forced cooperation has opened lines of communication that previously did not exist. Several counties have already begun to collaborate.

The Chattahoochee Hill Country Alliance (CHCA), a non-profit organization in South Fulton County and Carroll, Coweta and Douglas Counties has partnered with The Nature Conservancy to preserve 60,000 acres and 40 miles of open space along the Chattahoochee River. The organization was started by a group of landowners who recognized the value of creating, "A community based upon the philosophy of sustainable development, and the conservation of green space," to improve the overall quality of life in this area<sup>128</sup>. This example of community cooperation across jurisdictional lines and coalition building between county governments is an excellent example of what is possible in all of metro Atlanta. In another example, Cousins Foundation collaborated with the Atlanta Housing Authority to create a new community, East Lake Commons, with first-class open space and recreational facilities such as a golf course, a new Family YMCA, and a charter school.

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<sup>128</sup> Chattahoochee Hill Country alliance website ([www.chathillcountry.org](http://www.chathillcountry.org))



As previously mentioned in this study, Douglas County is very aggressive in its pursuit to preserve its natural resources through participation in the States "Greenspace Program". In an Atlanta/Journal Constitution article in September of 2002, Douglas County Planning Director Eric Linton said, "Our interests are the same as the organization (CHCA) in terms of the common goals of preservation of green space and farmland."<sup>129</sup> The fact that the Alliance was awarded a \$250,000 grant from the Robert W. Woodruff Foundation is significant. The grant was awarded specifically to allow the Alliance to hire three full time staff members. Funding awards for operational and staffing measures are not nearly as common as funding for capital project construction.

With almost all metro Atlanta jurisdictions facing tight budgetary constraints, consideration should be given to forming an alliance similar to The Chattahoochee Hill Country Alliance in style and focus. However, an organization that focuses on the 10-county metro area may be too unwieldy and have too many competing agendas to function effectively. Most people interviewed for this study were particularly pessimistic about the chances of success for such an organization. The key, therefore, may be in choosing specific projects or geographies that overlap jurisdictions and build coalitions around more limited goals. Included in these cooperative efforts must be representation from citizens (beyond elected officials) and the business community.

**Action Item:**

The next step should be to test the recommendations made in this phase by working with local officials on a few select projects. The projects should focus on land preservation initiatives that span jurisdictional lines and include organizations interested/capable of coordinating and funding these projects. Specifically, it is suggested that an "inside I-285" project be identified that requires Fulton and Cobb or DeKalb Counties to cooperate with the City of Atlanta. The Whittier Mill section of Atlanta is an area that has received significant attention due to its proximity to the Chattahoochee River and should be given special consideration for this first project.

**Action Item:**

Support the continued funding of the Georgia Greenspace Program. Metro Atlanta jurisdictions should work together to lobby the State Legislature and the Governors office to underscore the importance of continuing this program.

**Park Pride**

Other models for joint efforts exist, as well. The Olmsted Linear Park Alliance (OLPA) is a successful collaboration between the City of Atlanta and DeKalb County governments and citizens to restore a historically significant park that falls within the boundaries of both jurisdictions. Because these parks overlap

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<sup>129</sup> Frankston, Janet. 2002 "4 Counties May align On Open Space Plan," *The Atlanta/Journal Constitution*, September 30, 2002

jurisdictions, the responsibility for operations and maintenance is divided between the City of Atlanta and the DeKalb County governments. When park upgrades were planned, this project required the jurisdictions to coordinate the overall planning, design and construction of the sites. The historical significance of the sites, as the last major project designed by Frederick law Olmsted, Sr., added an additional layer of complicated approvals necessary to implement the recommendations of the consultants, which were hired by the City and County. A large part of the success of the project can be attributed to the efforts of the non-profit Olmsted Linear Park Alliance (OLPA) and Park Pride Atlanta. OLPA is made up of representatives from area neighborhoods, Atlanta and DeKalb park professionals and other interested parties. It is highly recommended that a detailed analysis of the process that resulted in the successful renovation of the Olmsted Linear Park be conducted for possible use in other areas within the metro region where cross-jurisdictional cooperation is necessary

**Action Item:**

Identify organizations, such as Park Pride, which recently expanded its focus to include parks and open space areas in DeKalb County as well as the City of Atlanta, to work closely with the Blank Family Foundation to identify a project within I-285 that has broad public support and is in keeping with the respective governments' goals according to the GGSP submitted plans.

**Metropolitan North Georgia Water Conservation District (MNGWCD)**

MNGWCD recognizes the importance of using watersheds as the framework for managing land use, as discussed previously. An important element is protection of all floodplain and wetlands as a green space network, and connecting them together and with other parks and open spaces through greenway linkages. A region-wide green space system can be created by cooperation between counties in identifying common watersheds and additional greenways linkages between counties.

**Action Item:**

Effect a region-wide collaboration between individual counties in establishing a regionally linked open space system, by utilizing floodplains and wetlands as a green space framework and identifying additional greenway linkages within and between counties.

- A. Work closely with the Metropolitan North Georgia Water Planning District and the City of Atlanta Consent Degree staff, taking advantage of their extensive data on flood plains and wetlands. Identify properties needed to create continuous green linkages between the green space framework and other parks, nature preserves and recreation areas.
- B. Utilize non-profit land trusts, such as the Trust for Public Land and the Nature Conservancy, to negotiate conservation easements and acquisition of properties for the regional open space system.

- C. Partner with non-profits, such as the PATH Foundation and others, to develop multi-use trails throughout the regional open space system.
- D. Partner with Trees Atlanta to utilize their tree canopy inventory in identifying particular areas to preserve.
- E. Collaborate with other organizations as appropriate.

### **Public Education Initiatives**

Georgia Tax Law regarding easements gives private property owners a way to permanently protect their property from development while reaping tax advantages. Additionally, private citizens can form their own non-profits and land trusts to protect land in their communities. Flood planes and wetlands are particularly good candidates. A public education campaign on these tax advantages could lead to property owners soliciting governments and land trusts to donate easements, rather than the other way around.

The many advantages of linking all flood plains with greenways and parks, thereby creating a metro-wide system has apparent recreational advantages. Many people like this concept, as long as it is “not in my backyard”, making the implementation of this approach difficult in developed areas. Additionally, some communities have opposed the idea of clustering development in a portion of a property, in order to protect the balance of the property. For these efforts to be successful, advantages that may not be apparent to many, such as economic, environmental, and other quality of life benefits, have to be demonstrated to the public.

#### **Action Item:**

Educate the public on the economic, environmental and recreational values of open space, and on the tax advantages related to donations and conservation and recreation easements, as a way of encouraging private support and participation in open space protection. Collaborate with various agencies and non-profits to implement educational programs.

### **GADOT**

GADOT has not utilized all of its allowable Federal funds for multi-use trails and many highways, such as GA 400, could have provided a significant contribution towards linking neighborhoods and opportunities for recreational and alternate transportation activities. Opportunities for building trails in conjunction with Highway projects should not be forfeited; GADOT needs to establish a policy of including multi-use trails in all new highways and in highway improvement projects wherever possible.

Private railroad companies own most railroad rights-of-way in Georgia. Georgia State Law requires that GADOT have the first right of refusal for purchase of abandoned railroad corridors and, as such GADOT has authority over the use of such corridors. Although, in other states, rails with trails are accepted compatible uses, GADOT has not shown any acceptance of the idea. This is important because of the current focus on the use of abandoned or underutilized rail corridors as future transit corridors, or as freight corridors to by-pass the future multi-modal facility proposed for downtown Atlanta. As a result, many opportunities for extraordinary greenway linkages discouraged, such as the 7-mile total of 2 sections of abandoned corridor encircling the Center of the City of Atlanta. The gleaming exception is the Silver Comet Trail, one of the most successful multi-use greenway trails in the country. It currently runs more than 38 miles from Smyrna, Georgia to Rockmart, Georgia, and planned to go into Alabama and be more than 57-miles long. It is the first and last project of this type to be allowed by GADOT, and since the initiation of that project, GADOT has not approved additional trails in rail corridors.

**Action Item: Utilize GADOT's vast resources to implement public multi-use trails and routes and increase greenway linkages.**

- A. Utilize all GADOT's allowable Federal funds for multi-use trails and routes.
- B. Construct sidewalks and bike routes all part of all new highway projects or street improvements.
- C. Promote and facilitate the rails-with-trails strategy, by using GADOT's authority to acquire and develop such facilities.

### **Park Trusts and Endowments**

Unlike many cities, Metro-Atlanta does not have a park trust or endowment. Such endowments could be easily established. Contributions to the endowment could be made by foundations, corporations and citizens. Endowments for individual parks are sometimes a way to foster community programs and activities to raise money for that park.

**Action Item:**

Establish parks endowments for both system-wide projects and individual parks, to support on-going maintenance and improvements.

### **Streamlining the Donation and Acquisition Process**

One of the most common complaints coming from those interviewed who work with city and county governments to increase green and open space is that the process of getting land donated or purchased for public use is so complicated and inefficient that would-be donors and sellers simply give up. This problem is

particularly acute in the City of Atlanta. Donors approaching the City of Atlanta Department of Parks, Recreation and Cultural Affairs (DPRCA) have historically been discouraged on two fronts. First, there is no one in the Department with the responsibility of coordinating land acquisition efforts. While the Department does have professional landscape architects and engineers, there is no one specifically assigned to handle such issues. The second fact is that the DPRCA has a culture that discourages accepting new park and open space into its current inventory. This unofficial position has existed for the better part of the last decade and has been resistant from even the highest level of City government's insistence that it perform otherwise.

**Action Item:**

Jurisdictions, either at city level or county/metro level, should hire an individual as the single point of contact to coordinate land acquisition and the acceptance of donations with private entities and to be the single point of contact with the public. This step will have a major impact on the region's ability to respond to and facilitate inquiries regarding land donation and sale.

An explanation for DPRCA's reluctance to accept new parkland lies partly in the fact that the DPRCA budgets have been reduced steadily since the early 1990's. The most recent budget figures indicate that the department is being forced to cut \$5 million (20%) of its existing budget in order to address the City's significant fiscal budget shortfall. Resources in the form of manpower and funding have been steadily reduced while the Department's overall responsibilities have been increased with the introduction of several new parks into the system.

Another explanation for the DPRCA's reluctance to increase parks and open space is that there seems to be low morale spurred by the perception that there is a lack of professional leadership. DPRCA upper management is seemingly unwilling to modify what is clearly not working. Middle management seems to have resigned itself to the status quo because of a belief that new ideas will not be considered.

The City's Department of Planning and Community Development (DPCD) is open to acquiring new land into the City's inventory of park land, although at times fails to take into consideration the need for additional resource allocations to maintain any new land. However, DPCD does not have any authority to control the allocation of funds for park and open space maintenance and can therefore not be held responsible for that aspect of this problem.

For the City of Atlanta to address this problem is going to require several bold initiatives. First, The DPRCA must be challenged to accept that increasing public parks and open space is at the core of its mission. Of the jurisdictions consulted as a part of this study, the City of Atlanta is the only one that is even slightly opposed to acquiring new parks and open space. This may require a drastic change in personnel to accomplish. It is advisable to allow current leadership the opportunity to demonstrate its acceptance of these new goals. Fortunately, the

Franklin Administration has been a strong supporter of expanding park space within the City of Atlanta, having even commissioned a Mayor's Task Force on Parks and Green Spaces to look at the City's long-term needs. With many of the City's more immediate and pressing problems having been addressed, the opportunity is now ripe for the Mayor to initiate a process and bureaucracy that is supportive of her and Atlanta residents' desires for increased park space.

**Action Item:**

The City of Atlanta is facing the fact that an increase in the City's General Fund resources, and therefore parks maintenance and funding resources, are not likely in the foreseeable future. Nonetheless, there are a number of steps that current City staff and City officials could take now, to move forward despite these problems.

The City of Atlanta, Department of Parks, Recreation and Cultural Affairs should:

- A. Support the "Georgia Greenspace Program" goal of setting aside a **minimum** of 20% of a jurisdiction's green and open space within a given (short) timeframe.
- B. Explore progressive ways of budgeting, allocation of manpower and privatization of some services. Test before the end of 2003.

The City of Atlanta, Department of Planning and Community Development should:

- A. Work with other City Departments to identify a strategy for meeting the Georgia Greenspace Program goal of 20% greenspace.
- B. Develop realistic budgets for maintaining and programming any new pieces of property proposed to be added to the City's inventory.
- C. Establish a new position specifically to work with a private entity to handle the negotiation over price for any land being considered as future parks or open space. This is particularly important so that the City can negotiate fair market value of a piece of land without being subject to typical open record laws. This is a rare instance in which open record laws work against the greater public good because public discussion of property values often leads to inflated sale prices. This position would also be the public contact point for any land acquisition or donation issues.

## **Privatization of Maintenance Functions**

The issue of privatization in some cities, particularly in the South, involves the role of government as an employment source. While some cities have successfully moved certain city services into the private sector, the question of whether or not that can be done in metro Atlanta is difficult to address. Issues of economics and race come into play. Race-relations, while far better than in most other cities in the South, is still a factor in metro Atlanta. It transcends more than the issue of privatization, and is perhaps better left to another study to address.

The process of privatization can result in a loss of City government jobs. City maintenance positions generally go to lower skilled and lower income people, both groups of which can form a politician's political base. With fewer job alternatives, chronic unemployment can be a major factor in deciding whether to proceed with privatizing some city services. However, some cities have gone forward with privatization in such a way as to minimize the impact on jobs. New York City, Indianapolis and Milwaukee have created competition in the market place by sending out requests-for-proposals (RFPs) for simple maintenance. City departments currently offering these services have been forced to address their inefficiencies in order to compete with the bids from private contractors. In some cases, this has resulted in improved governmental operations. In other cases city employees have been hired by private contractors to take on the new public contracts.

For metro Atlanta to be successful in privatizing city services, there must be careful consideration given to the overall impact of such initiatives. Long terms reductions in the work force through generous early retirement incentives and reassignment of remaining employees can result in a higher level of service being delivered. Employees are reallocated to perform tasks to a higher more specialized level, while private contractors (presumably) deliver a higher level of service in areas such as lawn mowing and vehicle maintenance.

An example of how such a process can work in Atlanta can be found in Indianapolis, Indiana, a city of similar size to Atlanta but with a smaller metropolitan area. Former Indianapolis Mayor, Stephen Goldsmith made the centerpiece of his campaign for office the privatization of city services. Once in office, however, Goldsmith realized that the inefficiency of publicly provided services was not necessarily the result of their being a function of incompetent government. Goldsmith concluded that inefficiency is a result of the lack of competition over who will provide them.<sup>130</sup> Facing major reductions in tax revenue, Mayor Goldsmith sent out an RFP for basic street repair. City employees examined the costs they were currently incurring to do simple tasks such as repairing potholes and came up with a 25% reduction per ton of asphalt needed to repair potholes. This department formerly spent \$425 per ton of asphalt and reduced that cost to \$307 per ton and was awarded the "contract" to provide these services.<sup>131</sup>

Privatizing city services is not always going to deliver favorable results. Efforts in Hartford Connecticut to privatize operations of city schools in the early 1990's did not turn out well. City residents protested when the private contractor balked at citizen demands for increased accountability and explanations of how money was spent in the school system. After unsuccessfully trying to force the contractor to behave more like a public agency, the privatization effort was aborted and control of the school returned to an elected board. This particular case demonstrated that privately run companies can have difficulty meeting public demands that are not in originally planned budgets. Similarly, in Atlanta, the City recently abandoned its contract with the private water utility, after it was demonstrated that costs to the City were greater after privatization.

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<sup>130</sup> Kennedy School of Government, Harvard University, Case Program "Cases in Privatization, March 1998"

<sup>131</sup> Dr. John C. Thomas, "Reinventing Municipal Governance: From the New Generation of Big-City Mayors", Research Atlanta Inc.

In order for privatization to work, bidding processes must be structured in such a way as to ensure that a valid comparison between the public agency and private contractor will be possible, as well as how to determine the exact nature of public costs. Further study on this issue is necessary to determine which functions must always be public, which should be private and, most importantly for purposes of this study, which should be privately-provided but publicly-financed.<sup>132</sup>

**Action Item:**

The City of Atlanta should test privatization of general lawn mowing for cost effectiveness by issuing a request for proposal for this purpose. To promote greater public sector responsiveness, this request should require that the governmental agencies currently providing this service submit a bid as well.

## **Land Development Codes and Regulations for Providing Open Space**

Land Development Codes are a jurisdiction's most effective mechanism for implementing an open space system that keeps pace with population growth. Land Development Codes are a set of regulations which builders and developers are required to follow, and **include zoning regulations and public works regulations**. Site plans that reflect these regulations must be submitted to, and approved by, the local jurisdiction's zoning offices before building permits can be issued. Most jurisdictions require open space as part of new developments. These open space regulations are intended to meet public health, safety and welfare needs. It is important to note that the parks and open space will be at little cost to the city or county due to the developer being responsible for meeting these regulations.

The metro Atlanta area has, missed this opportunity by not requiring parks and open space as part of new developments. Additionally, the poor quality and location of open space that is provided is not functional either as usable public space or environmental enhancement. Nevertheless, great opportunities still remain, particularly with the infill and redevelopment of properties south of I-20 and north of I-285, where there are still numerous tracts of open space that are subject to new development.

### **Zoning Codes and Regulations for Providing Open space**

The regulations for providing open space as part of new developments, found in conventional zoning codes, are generally insufficient to meet the open space needs of a rapidly developing area. Additionally, most open space created through these regulations, either individually or collectively, does not contribute to social, recreational or environmental goals.

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<sup>132</sup> "Case in Privatization, March 1998"



Open space regulations are calculated three ways: 1) measured from property lines, 2) as a percentage of property area, and 3) as a percentage of the floor area of the on-site buildings.

To further complicate matters, there are three types of open space. **Total Open Space** is all of the ground plane area, on which no building sits and which may be used by either people or vehicles. **Usable Open Space** is any uncovered outdoor space, such as balconies, which cannot be used vehicles—only by people. **Public Space** is a category of Usable Open space, but it is only accessible to the general public. **Green space** is any turf or landscaped area.

One may get the initial impression that with the variety of methods for measuring open space that there would a lot of great open space out there. However, this is not the case. There are very few regulations that result in quality parks and open space. Think about driving on a typical commercial street. The “open space” one sees is in the form of unusable strips around buildings and is disconnected from any other open spaces. Contrary to the original purpose, these regulations often have the effect of fostering sprawl and its associated infrastructure and environmental costs. By requiring each individual building or development to have green space around it, development is spread over a larger area, often in the form of “strip” development along highways. The consequential distances between businesses eliminate walking as an option and make it necessary to drive to get from door-to-door. The result is that large parking lots, which are provided for each individual business, line the street. Furthermore, it serves no environmental purpose and is devoid of any predevelopment landscape characteristics, such as streams or mature trees.

Open space regulations in primarily commercial areas often result in an abandoned wasteland surrounding businesses, creating maintenance problems and security issues. Public health, safety and welfare are not furthered and the creation of public parks or protection of environmentally sensitive or unique areas is seldom the result. Most open spaces are so scattered and disconnected that they become almost invisible. If these areas could be consolidated into a large park, or become part of a larger open space network, social, recreational, environmental and economic benefits could be maximized. Public space regulations are found in zoning districts within the denser urban core of Buckhead, Downtown and Midtown Atlanta, and were intended to create public plazas and parks. Without qualitative regulations however, barren or unusable plazas that are unfriendly and under utilized are scattered throughout the urban area. When each individual property meets regulations individually on-site, many separate spaces are created which can compete with each other for popularity. Uninviting spaces that go unused by the public tend to become popular destinations for vagrants and other illicit activity. See Figure 2 in Section VII for examples of small and consolidated open spaces.

Larger developments, such as retail or office centers, or large multifamily developments, have a greater need for common open space than very small properties. Conversely, very small properties frequently have difficulties in creating a context in which a small amount of open space can contribute to social, recreational or environmental goals. This should be taken into account when creating codified open space regulations.

The importance of sidewalks as public open space has been greatly overlooked. This is where most of a community's social interactions take place, and where people meet and greet and have conversations. In residential developments, it is where children ride their bikes and play. In mixed use and commercial areas, it is where retail storefronts can be located and, when wide enough, outdoor dining, transit stops, benches, large street trees and other element that contribute to the social fabric of a place. Within many retail and commercial centers and in denser urban areas, sidewalks are the most important public open space. Additionally, where adequate space for street trees is provided, sidewalks provide the greatest opportunity for reducing the urban heat island by providing shade over streets. Sidewalk regulations have largely been minimal, and do not exist in many areas. See Figure 3 in Section VII for examples of different treatments of sidewalks as open spaces.

Several jurisdictions are adopting a new zoning designation for residential subdivisions which has mandatory on-site open space regulations coupled with the ability to cluster development on the balance of the site. The Metropolitan Atlanta Water District, and its recommendation of a prototype ordinance developed by the University of Georgia, has spurred this activity. Although a primary focus of the prototype ordinance is on the reduction of storm water runoff, the advantages of this type of zoning designation are numerous. (See Section V.) To fully realize the potential benefits of these types of zoning designations, they need to support the view that the open space should be part of a connected open space system. This includes regulations for public access, connectivity to other open spaces and through green space linkages and the provision of multi-use trails.

**Action Item:**

Adopt legislation that gives all non-profits, which serve the public good as their mission, the same tax exempt status as churches. This will allow non-profit "green groups" and land trusts to land bank sensitive or important properties without the burden of paying property taxes. 1988 legislation exempts church property such as parking lots and administrative buildings.

**Action Item:**

Produce legislation that amends local zoning codes to delete antiquated open space and setback regulations and replace with effective open space requirements. Open space regulations should meet social, recreational and environmental goals and reduce “wasted” open space that destroys rather than protects the environment. This could most effectively be accomplished by providing each county and municipality with specific legislation to be enacted. Zoning code regulations should address the following actions:

Off-site option. Allow developers to meet a certain amount of the open space requirement by providing an equivalent open space off-site, at a location that has been identified as a future public park site.

Qualitative criteria for open space location and treatment. Require that open space meet certain qualitative criteria, which ensures social, recreational and environmental value. For example, security is maximized when parks are adjacent to, and highly visible from, public streets. In retail and commercial centers, ground floor retail storefronts and restaurants adjacent to parks maximize the economic and social potential, and further ensure safety by increasing “eyes on the park” and pedestrian activity. Residential developments should ensure that open space is easily accessible to all residents and is designed to maximize the amount of usable recreational area. Environmentally sensitive or unique areas can be guaranteed protection through strict development standards

Large property requirements. Increase open space criteria for larger sites, where open space is easier to provide and the need for public space is greater. Establish a threshold under which properties of a certain size, e.g. ¼ acre, have fewer requirements other than provision of generous, shaded, public sidewalks.

Create parks. Ensure the creation of public parks that can serve multiple functions, through zoning code requirements that stipulate the amount of open space dedicated to public parks.

Public access. Open space is much more valuable to a community when public access is allowed. In commercial areas, public access should be required during all normal business hours. In residential areas, incentives should support public access for the purpose of providing an interconnected system of public lands.

Open space connectivity. Require connectivity between open spaces, including undeveloped parcels. The community should adopt a master plan that identifies where greenway connections can be made.

Conservation subdivisions and transfer of development rights: Establish minimum open space requirements for residential subdivisions. Allow developers the same number of residential units as otherwise permitted, clustered on the balance of the site. Require that a certain amount of open space have public access and that multi-use trails be provided through the site, which are further connected with other trails and parks.

## **Public Works Regulations**

Public Works Departments have the greatest opportunities for creating a linked system of green space throughout the region, with little cost. But these opportunities are missed because open space creation is not viewed as part of the typical public works department's responsibilities. Nevertheless, many jurisdictions are beginning to view open space creation and protection in light of the practical benefits provided, including ease of maintenance and reduced storm water treatment costs.

Utility easements, particularly water, storm water and sewage easements are ideally suited as greenway trail locations because they connect a variety of areas within a jurisdiction. Some public utilities are located in rights-of-way that are owned by the local jurisdiction. However, most often, utilities are located within an easement through private property, and are often recorded in property deeds. Access and use rights are negotiated at the time that the easement is acquired and can be amended with the agreement of both parties. Recreational amenities such as trails can be permitted as part of the agreement. Power easements can also be utilized as greenways, although health concerns over the effect of high-tension electric lines, and the undulating topography commonly found there limit the use of these types of easements for recreational purposes. Recreational trails provide ease of access for maintenance and, with the easement area visible to passers-by, safety is greatly enhanced.

River and stream bank protection regulations also lend themselves to the creation of greenways. Georgia State Law, adopted in 2000, requires a minimum 75-foot natural undisturbed setback from the stream bank, on both sides of any stream. This creates a continuous, linear protected area, which, including the stream itself is more than 150 feet wide. Local jurisdictions may strengthen these regulations by additional widths, permanent conservation easements and, where suitable, recreational trails outside of the 75-foot stream bank set back. Additionally many water, storm water and sewer easements, discussed above, are located within these areas. Trails provide ease of access for maintenance and improve the security and safety of the area. Illegal activities, such as dumping in low areas, typically disappear when public access is provided. See Figure 4 in Section VII for an example of how riparian corridors and floodplains could be used to connect existing parks on Atlanta's west side.

Water retention and detention ponds should be developed as recreational and open space amenities. The establishment of best practices can allow these otherwise attractive facilities to be incorporated as attractive features in parks and open space. Ponds can either be created on-site or located downstream in a location, which, combined with other regulations, serve the storm water needs of that particular watershed.

Imagine the worst strip development highway with huge parking areas in front of one-story commercial buildings. Now imagine a continuous tree-covered park and greenway along either side of the highway, replacing portions of the parking lots. Alternately, imagine a more urban commercial area, with pocket parks and playgrounds interspersed among tall buildings. Parking lots comprise 20 percent of the pavement in Downtown and Midtown Atlanta, and up to 60 percent of

pavement in suburban areas. However, most parking lots are underutilized except for peak shopping periods. These "overflow" parking areas can be covered with pervious surfaces such as reinforced turf or pervious pavements. Then they can be used as recreational areas such as linear parks and greenways, organized sports fields, ball courts, running tracks, passive open space or special event and festival areas.

Some cities, such as Eugene, Oregon, are undertaking programs to "disconnect impervious surfaces" from the city's storm water pipes. One way that this is being accomplished is through alternative treatments of overflow parking areas, as described above, disconnecting these areas from storm water pipes, and maximizing the resulting open space opportunities.<sup>133</sup> Pervious pavements and other pervious surfaces such as reinforced turf, or even gravel allow storm water to be naturally filtered through the ground, thereby reducing high pollutant loads before entering the underground aquifer system and reducing the cost of storm water treatment.

As discussed above, the integration of open space and greenways into public works regulations is part of efficient management of public utilities. However, this approach requires a larger vision and effective leadership to change current practices. The day-to-day maintenance and management of individual projects does not lend itself to realizing the comprehensive and long-term fiscal, environmental and quality of life benefits that a system of interconnected parks and greenways provides. The City of Atlanta has begun to address this issue by creating a new Department of Environment, which is responsible for the management of city owned utilities and the implementation of State and Federal environmental regulations.

**Action Item:**

Produce legislation, which amends local public works codes to incorporate the following requirements. This could most effectively be accomplished by providing each county and municipality with specific legislation that they need.

- A. Create greenways and multi-use trails within existing and future utility rights-of way and easements.
- B. Strengthen stream bank buffer regulations to require an expanded setback, where appropriate, for multi-use trails, and protect the buffer area through permanent environmental and recreational easements. Consider creating a special (increased) setback designation for location of multi-use trails along the Chattahoochee River.
- C. Convert certain parking lot areas to open space. Define primary parking areas and overflow parking areas and have separate surface treatments and storm water regulations for each. Whereas primary areas may require conventional surfaces for durability, overflow-parking areas can be treated with pervious surfaces that are disconnected from storm water pipes, and utilized for recreational purposes such as ball fields and courts, passive open space, greenway trails and special events.

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## Administration

Effective administration of parks and recreation organizations is key to the ability to implement open space goals. In 2002, Mayor Shirley Franklin appointed a Mayor's Task Force on parks and Open space to address the administrative and funding issues that have beset the City of Atlanta's Department of Parks, Recreation and Cultural Affairs over the past decade. The Mayor's Parks and Open Space Task Force has acknowledged the City's Parks Department's 20-year history of continual decline in resources and maintenance capabilities, and a subsequent lack citizen confidence in the Department. The Task force recommended that an entirely new agency, be created, with independent funding, private sector board members and a visionary and seasoned parks professional as the director.

The proposed new Atlanta agency will initially have many obstacles to overcome. Private and non-profit organizations and individuals may be reluctant to collaborate with the new agency until a strong track record has been established and confidence in the new organization is demonstrated. One approach may be to begin by coordinating only new open space acquisition and maintenance initiatives, working in conjunction with adjacent jurisdictions whenever possible. Collaboration, early on, with the City's Planning, Environment and Utilities, and Public Works Departments to initiate comprehensive changes in city policies and regulations is essential. Once strong partnerships have been established and essential City policies are in place, then the new organization may begin to absorb the existing Department of Parks, Recreation and Cultural Affairs.

### **Action Item:**

Implement the Recommendations of Mayor Franklin's Parks and Greenspace Task Force, which include:

- A. Create the Atlanta Parks District.
- B. Double the acreage of parks and green space by 2012.
- C. Raise \$400 million over 10 years to support parks and green space acquisition and development..
- D. Build a large, centrally located "great park" with an outdoor event venue.

Metro Atlanta needs a park and open space organization that can coordinate acquisition efforts such as are recommended in this study. Most of the people interviewed had the opinion that a governmental agency would not be effective because the numerous counties and cities, each with their own Parks offices, recreational programs, maintenance staff and funding sources, would be difficult to coordinate, and some of the more successful Jurisdictions might see the agency as just another impediment to getting things done. Such a Metro Parks organization needs to be a non-profit that establishes goodwill with each city and county and has the ability to coordinate initiatives metro-wide initiative that require multi-jurisdictional and multi-private and nonprofit coordination. Connectivity of park systems is so important, and we will need an organization

that has the ability to negotiate easements and acquisitions for inter-jurisdictional greenways and trails. The board of such an organization would include the “community and political leader” that the interviewees thought should be supporting parks and open space initiatives. Though a governmental metro-wide parks agency may not be effective, there are certain inter-jurisdictional opportunities within local governments. Fulton County, Atlanta and DeKalb County have a history with certain joint projects and there are many opportunities to share services. For example, the prison farm is owned by the City of Atlanta, yet is in Dekalb County. Commissioner Vernon Jones and Mayor Shirley Franklin are willing to work together. The Arthur M. Blank Family Foundation is pushing for partnerships. The Arthur M. Blank Family Foundation wants a partnership between DeKalb and the City for the Prison Farm project. We need a “can do” attitude.

**Action Item:**

Support the creation or identification of a private, non-profit organization, which will facilitate communications between Metro area non-profits and will facilitate coordination with Metro area jurisdictions.

It is critical that land acquisition stay ahead of growth, before choice properties are developed and property values have increased. Some jurisdictions, including the city of Atlanta and Gwinnette County have acquired large tracts in undeveloped areas in anticipation of future growth. Despite the tight budgets that all jurisdictions are facing, and the parks maintenance resources that are sometimes affected, funding sources for land acquisition are available outside of the General Fund. These vary between jurisdictions and include: the Georgia Greenspace Program, Community Development Block Grant programs, Park Impact Fees and Business Improvement Districts. Additionally some jurisdictions have sources such as, in Gwinnette County, sales tax allocations and, in the City of Atlanta and in DeKalb County, Bonds. Non-profits and certain public authorities and agencies can pay for acquisition of very large openspace areas through the creation of parkways around the park and marketing adjacent properties.

**Action Item:**

Acquire openspace ahead of development. Be aggressive about obtaining conservation and recreation easements and acquiring property that meets green space criteria. Create land banks of available properties for which there are no existing funds to develop.

**Action Item:**

Private property owners and business owners should initiate parks and open space acquisition and development by working with the local jurisdictions to establish and utilize funds from Tax Allocation Districts and Community Improvement Districts.

**Action Item:**

Identify a sufficient dedicated funding source, such as a Special Purpose Local Option Sales Tax (SPLOST), a property tax, or an authority, such as the Fulton County Recreational Authority, that has bonding and taxing powers, either at city, county, or metro level, to fund parks and green space acquisitions and improvements.



## **VII. Appendix**

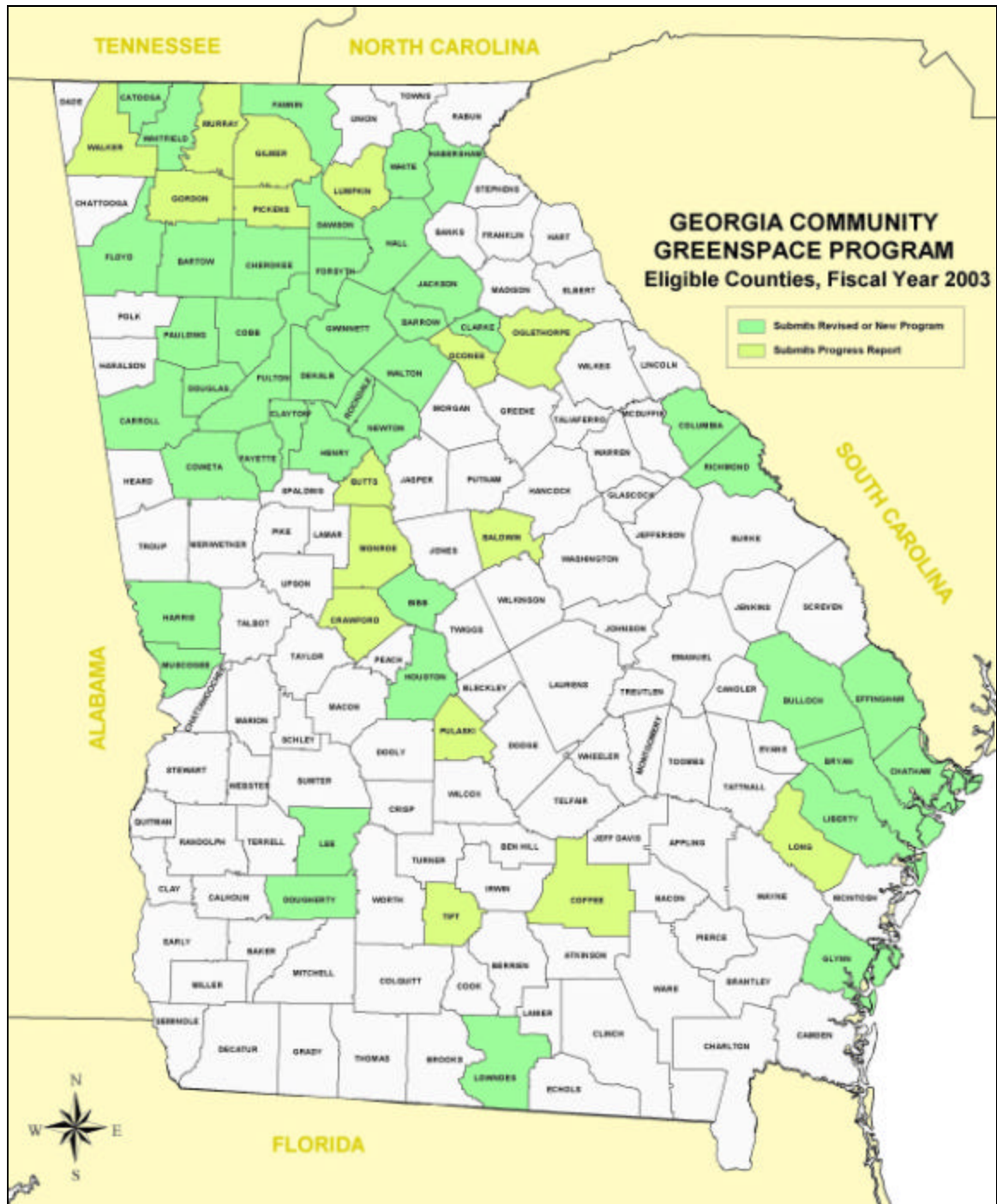
**Figures, Charts and Photos**

**Sample Listing of Open Space Acquisition Funding Sources**

**Sample Listing of Non-Profit Organizations that Support Parks and Open Space Preservation**

**Bibliography**

## Figures, Charts and Photos



**Figure 1:** Map showing Georgia Greenspace Program eligible counties in fiscal year 2002.<sup>134</sup>

<sup>134</sup> Georgia Greenspace Program website (<http://www1.state.ga.us/dnr/greenspace>)

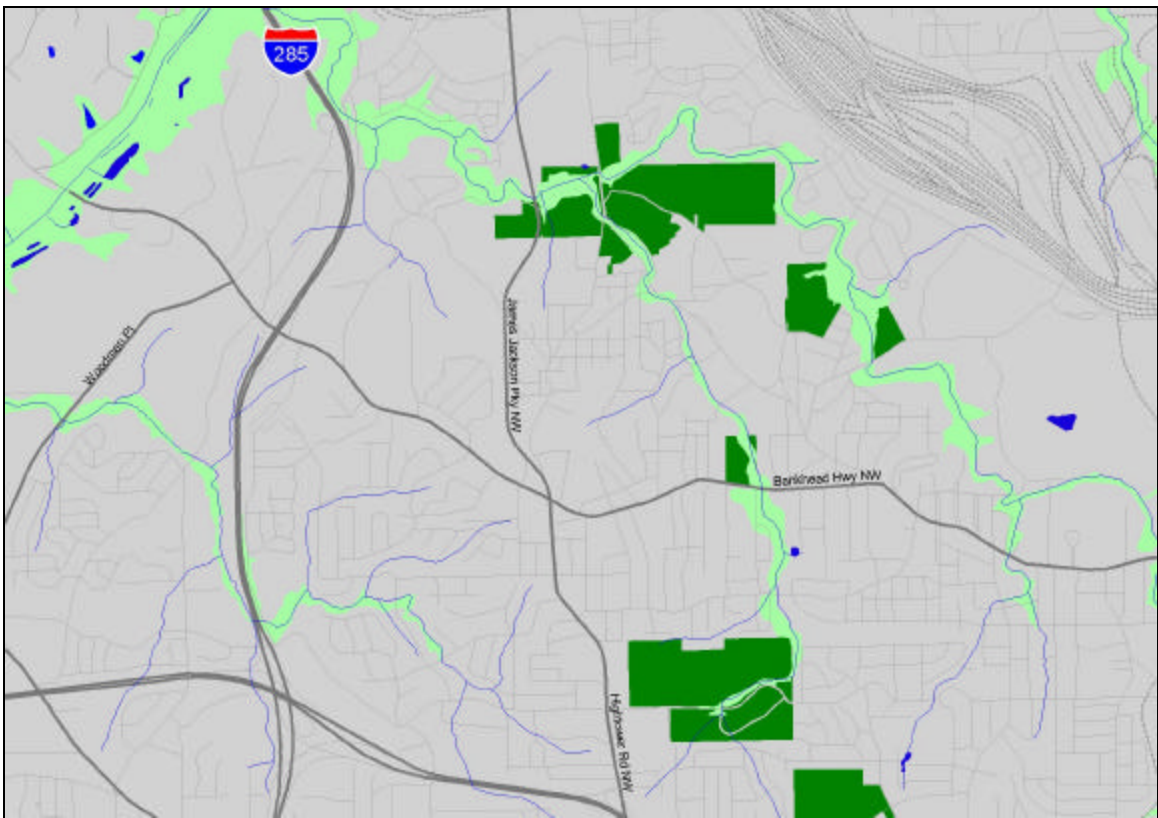


**Figure 2:** Small, isolated green spaces have far fewer positive impacts than when these smaller spaces are consolidated. The image at left shows a small plaza and planting area that is largely unusable to both people and urban wildlife, while the image at right shows a larger park that is much more beneficial to both. Instead of requiring individual developments to build small, unusable spaces, local governments should encourage developers to create larger centralized green spaces, which may be created through the collaboration of multiple property owners.



**Figure 3:** In towns and cities, streets and sidewalks can be highly used public open spaces. Therefore, it is important to design them to reflect this. The photo at left shows the type of public open space that results when the role of the street as a public space is not respected, while the photo at right shows the opposite result.





**Figure 4:** This map of the west side of Atlanta shows how 100 year floodplain and riparian corridors could be used to connect existing parks and open spaces.

Comparison of Parks and Recreation Service Delivery in Comparable Cities<sup>1</sup>

Indicator	Chicago	Minneapolis	Miami	Portland	Seattle	Denver	Phila	Atlanta	National Average
2000 City Population	2,896,000	383,000	362,000	529,000	563,000	555,000	1,518,000	416,000	No data
Adjusted Budget in Millions (FY2000) <sup>2</sup>	\$371	\$55	\$8.9	\$53	\$90	\$57	\$79	\$24.1	No data
Park Related Expenditures per Resident	\$128	\$144	\$47	\$101	\$160	\$103	\$52	\$58	\$79
Parks and Open Space Per 1000 Residents	4.0	14.9	3.7	24.6	11.0	10.2	7.0	7.6	13.4
Parks and Open Space as % of City Area	8.0%	16.2%	5.8%	15.1%	11.5%	5.7%	12.4%	3.7%	11.0%
Recreation Centers per 20,000 Residents	1.9	2.8	1.4	0.6	0.9	1.2	2.1	1.9	1.1
Number of Permanent Employees	2,162	500	200	371	910	859	550	215 <sup>3</sup>	No data
Average Employees Per Acre	0.18	0.09	0.15	0.03	0.15	0.15	0.05	0.06	No data
Parks & Recreation Board	Board of Commissioners	Parks and Recreations Board	Park and Recreation Citizens Advisory Committee	No; goal to establish board in Parks 2020 Vision Plan	Board of Park Commissioners	Board of Parks & Recreation	Board of Directors	No; approved but never established	NA

Source: Mayor Franklin's Park and Green Spaces Task Force Report, October, 2002

<sup>1</sup> Based on data from Parks Atlanta Rescue Coalition (PARC 9-1-1) and ULI and The Trust for Public Land *Inside City Parks*

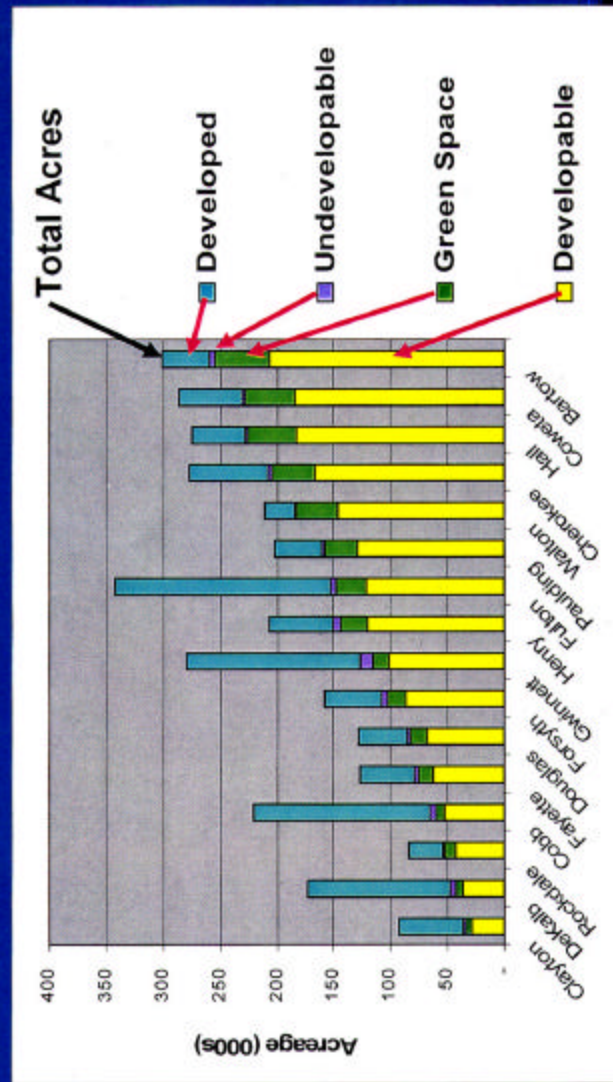
<sup>2</sup> Includes both operating and capital expenditures, but excludes stadiums, zoos, and museums

<sup>3</sup> 2002 employment number

Figure 5: Parks and Recreation Comparisons among U.S. Cities



# District Developed vs. Developable Land



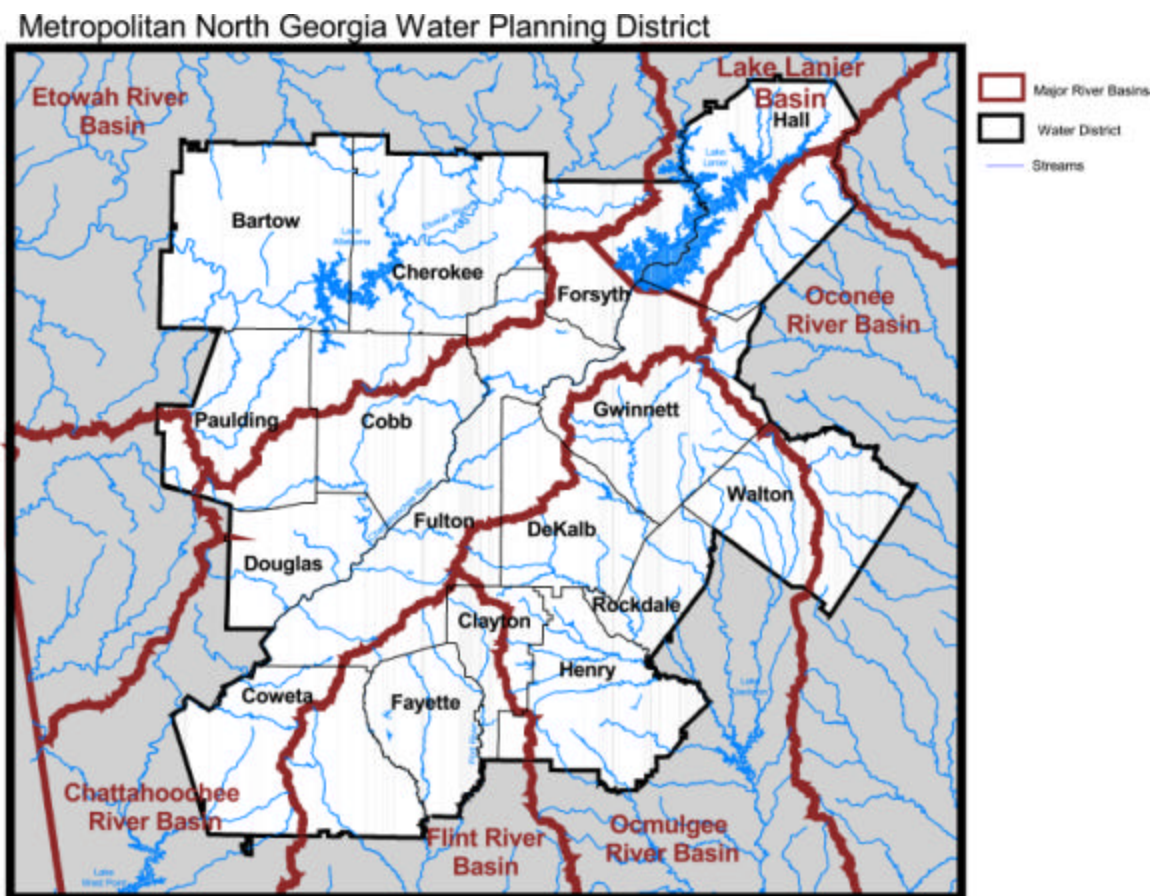
## District Wide Totals

Green Space	Undevelopable	Developable	Total
374,418	63,359	1,187,356	3,363,157
11%	2%	35%	100%

8

Source: Metropolitan North Georgia Water Planning District, 2001

**Figure 6:** Percentages of Developed Land in Metro Atlanta Counties



**Figure 7:** Metro Atlanta River Basin and District Boundaries



# Sample Listing of Open Space Acquisition Funding Sources

## GOVERNMENT

### Local

#### CDBG Loan Guarantee Program (Section 108 Program)

[www.dca.state.ga.us/economic/index.html](http://www.dca.state.ga.us/economic/index.html)

*An economic and community development-financing tool authorized under Section 108 of Title I of the Housing and Community Development Act of 1974, as amended. The program is a method of assisting non-entitlement local governments with certain unique and large-scale economic development projects that cannot proceed without the loan guarantee.*

### State

#### Downtown Development Revolving Loan Fund (DD RLF)

Georgia Department of Community Affairs

60 Executive Park South, NE

Atlanta, GA 30329

(404) 679-1585

Contact: Steed Robinson

*Loans to non-entitlement cities and counties for small and middle-size communities in implementing quality downtown development projects*

#### Georgia Cities Foundation Program

201 Pryor St. SW

Atlanta, GA 30303

(888) 488-4462

Contact: Greg Fender

*Loans to cities requesting financial assistance in their efforts to revitalize and enhance their downtown areas.*

#### Recreation Assistance Fund (RAF)

Georgia Department of Natural Resources

Parks, Recreation and Historic Sites Division

Grants Administration and Planning

205 Butler Street, SE Suite 1352

Atlanta, GA 30303

(404) 656-3830

Contact: Antoinette Norfleet

*Grants for the purchase of real property, facility development or rehabilitation of existing facilities to increase the local supply of public recreation lands and/or facilities.*



## Water Protection and Conservation Grants

Turner Foundation  
One CNN Center  
Suite 1090 South Tower  
Atlanta, GA 30303  
(404) 681-9900

[www.turnerfoundation.org](http://www.turnerfoundation.org)

*The purpose of this program is to protect rivers, lakes, wetlands, aquifers, oceans, and other water systems from contamination, degradation, and other abuses. The Foundation will consider programs that are national in scope and will consider state and local programs, giving priority consideration to programs in New Mexico, Montana, Colorado, Nebraska, South Carolina, Georgia, and Florida.*

## **Federal**

### AmeriCorps

[www.americorps.org/startaprogram.html](http://www.americorps.org/startaprogram.html)

*AmeriCorps seeks to strengthen communities through projects that address education, public safety, the environment, and other unmet human needs.*

### Fish and Wildlife Service

Aquatic Resource Education

Contact: Gary Reinitz, Policy Branch Chief, US Fish and Wildlife Service, at

[Gary\\_Reinitz@fws.gov](mailto:Gary_Reinitz@fws.gov)

(703) 358-2159

*The Aquatic Resource Education Program helps people understand, enjoy and conserve the aquatic natural resources of the nation. States have the option of using up to 15% of their annual Sport Fish Restoration apportionment for aquatic resource education programs and outreach and communications projects. The Sport Fish Restoration Program, created in 1950, provides funding for fish management, conservation, restoration, aquatic education, and boating access. The program is funded by a 10 percent Federal excise tax on fishing rods, reels, creels, lures, flies and artificial baits and a 3 percent tax on electronic fishing motors and sonar fish finders; duties on imported fishing tackle, pleasure boats and yachts; and a portion of the federal fuel tax receipts from motorboats and small gasoline engines. The funds are apportioned annually to the states and territories by the Department of the Interior on the basis of formulas set forth in the Act. Apportionments are determined for each state by land area and number of fishing license owners. All funds are disseminated through State Fish and Wildlife Departments. To contact your state Fish and Wildlife Department go to [www.iafwa.org/documents/State and Provinces Directory.PDF](http://www.iafwa.org/documents/State%20and%20Provinces%20Directory.PDF)*

### Forest Service - Georgia

Ms. Susan Reisch, Forestry Commission

6835 James B. Rivers/Memorial Dr.

Stone Mountain, Georgia 30083

(404) 298-3935 Fax: (404) 294-3591

Email: [sreisch@gfc.state.ga.us](mailto:sreisch@gfc.state.ga.us)

[www.fs.fed.us/spf/coop/ucf\\_general.htm](http://www.fs.fed.us/spf/coop/ucf_general.htm).

*The Urban and Community Forestry program assists state forestry agencies, local and tribal governments, and private sector entities improve natural resource management of trees and forests in urban areas and community settings. The program encourages and facilitates the active involvement of volunteers in the management and protection of their community's natural resources. The program also analyzes, develops, disseminates, and demonstrates scientific information about protecting, managing, and maintaining community forest resources. States are encouraged to offer competitive grants that involve partnerships with local governments, non-profit organizations, and the private sector for the purpose of establishing effective community forestry programs.*

Land and Water Conservation Fund (LWCF)

Georgia Department of Natural Resources  
Parks, Recreation and Historic Sites Division  
Grants Administration and Planning  
205 Butler Street, SE Suite 1352  
(404) 656-3830  
Atlanta, GA 30303  
Contact: Antoinette Norfleet

*The Land and Water Conservation Fund was enacted in 1964 (Public Law 88-578) to "create and maintain a nationwide legacy of high quality recreation areas and facilities." LWCF provides funding for: (1) land acquisition for federal land managing agencies; and (2) matching grants to state and local governments for planning (states only), acquisition and development of park and recreation areas and resource based facilities.*

National Coastal Wetlands Conservation Grants Program

Contact: Gary Reinitz, Policy Branch Chief, U.S. Fish and Wildlife Service  
(703) 358-2159

Email: [Gary\\_Reinitz@fws.gov](mailto:Gary_Reinitz@fws.gov)  
[fa.r9.fws.gov/cw/cw\\_jul97.html](http://fa.r9.fws.gov/cw/cw_jul97.html)

*The National Coastal Wetlands Conservation Grants Program is authorized by the Director of the U.S. Fish and Wildlife Service to grant funds to coastal states to carry out coastal wetlands conservation projects. Participants in the program include state, county, and municipal governments as well as non-government partners. Project review and selection are conducted by the Federal Aid Office and other Divisions in each Region and by a cross-program review in the Washington Office, led by the Division of Fish and Wildlife Management Assistance and Habitat Restoration. All Coastal States (except Louisiana) and the Trust Territories are eligible to submit project proposals to the appropriate Service Regional Office annually. Funds are made available by allocating 18% of the Sport Fish Restoration Account or 100% of the excise tax on small engine fuels - whichever is greater. Up to \$15 million is available annually.*

National Park Service

Federal Lands to Parks  
[www.ncrc.nps.gov/programs/flp/](http://www.ncrc.nps.gov/programs/flp/)  
(202) 565-1184

Contact: Wendy Ormont. Email: [wendy\\_ormont@nps.gov](mailto:wendy_ormont@nps.gov)

*The Federal Lands-to-Parks (FLP) enables states and local governments to establish park and recreation areas and adapt historic buildings for public uses.*

*Through FLP, state and local agencies may acquire land and facilities once used for federal purposes at no cost to meet park and recreation needs. Only state or local units of government are eligible to apply for surplus real property for public park and recreation purposes. Applicants must agree to manage the property in the public interest and for public park and recreation use.*

#### Natural Resources Conservation Service - Conservation Technical Assistance

[www.nhq.nrcs.usda.gov/PROGRAMS/COD/ctat/ctasmry.htm](http://www.nhq.nrcs.usda.gov/PROGRAMS/COD/ctat/ctasmry.htm)

*The purpose of the program is to assist land-users, communities, units of state and local government, and other federal agencies in planning and implementing conservation systems. The purpose of the conservation systems are to reduce erosion, improve soil and water quality, improve and conserve wetlands, enhance fish and wildlife habitat, improve air quality, improve pasture and range condition, reduce upstream flooding, and improve woodlands. The program is also used as a means to collect, analyze, interpret, display, and disseminate information about the condition and trends of the Nation's soil and other natural resources so that people can make good decisions about resource use and about public policies for resource conservation. Information collected through the program is used to develop effective science-based technologies for natural resource assessment, management, and conservation. Technical assistance is provided at the state level by State Conservationists. Contact information for each State Conservationist is available on line at [www.nrcs.usda.gov/NRCstate.html](http://www.nrcs.usda.gov/NRCstate.html).*

#### Resource Conservation and Development

[www.ftw.nrcs.usda.gov/rcnd\\_2.html](http://www.ftw.nrcs.usda.gov/rcnd_2.html)

*The purpose of the Resource Conservation and Development (RC&D) program is to accelerate the conservation, development and utilization of natural resources, improve economic activity, and enhance the environment and standard of living in authorized RC&D areas. The program assists state, tribal and local units of government and local nonprofit organizations in rural areas to plan, develop and carry out programs for resource conservation and development. Current program objectives focus on improved quality of life, achieved through natural resources conservation and community development; sustainable communities; practical use and the management and conservation of natural resources. The program also establishes or improves coordination systems in rural areas by assisting RC&D coordinators, who assist local area councils. These coordinators help the area councils develop plans and proposals to compete for financial assistance from other federal, state and private sources. A list of local Resource Development Conservation Councils is available at [www.rcdnet.org](http://www.rcdnet.org). The Natural Resources Conservation Service can provide grants for land conservation, water management, community development, and environmental needs in authorized RC&D areas.*

#### Rivers, Trails and Conservation Assistance

[www.ncrc.nps.gov/programs/rtca](http://www.ncrc.nps.gov/programs/rtca)

Contact: Sam Stokes. Email: [sam-stokes@nps.gov](mailto:sam-stokes@nps.gov)

*The RTCA program offers local groups staff assistance and consultations for locally led conservation projects. Projects may include developing trails and greenways or protecting rivers and open space. Regional RTCA offices provide application information and assistance.*

## Transportation Equity Act for the 21st Century (TEA-21)

Atlanta Regional Commission

[www.nrpa.org/story.cfm?story\\_id=928&departmentID=6](http://www.nrpa.org/story.cfm?story_id=928&departmentID=6)

*The Transportation Equity Act for the 21st Century (TEA-21), provides funding for a wide variety of transportation programs including: Transportation Enhancements (TE), Congestion Mitigation and Air Quality Improvement (CMAQ) and Recreational Trails Program (RTP). Under Bush's proposed budget TE would experience a \$200 million decrease, CMAQ a \$5 billion decrease and RTP funding would remain constant at \$50 million.*

## Urban Park and Recreation Recovery Program

Contact: Wayne Strum, LWCF/UPARR grants office, National Park Service

Email: [wayne\\_strum@nps.gov](mailto:wayne_strum@nps.gov)

(202) 565-1129

*The Urban Park and Recreation Recovery (UPARR) program was authorized in November 1978 by Public Law 95-625, providing direct federal matching assistance to cities and urban counties for rehabilitation of existing recreation facilities. The law encourages systematic local planning and commitment to continuing operation and maintenance of recreation programs, sites, and facilities. Project proposals are submitted to the appropriate National Park Service Regional Office by eligible local units of government (selected cities and urban counties). Grants are awarded on a nationally competitive basis with regional offices having the primary responsibility for monitoring progress and post-completion requirements.*

## Wildlife Conservation and Restoration Program

*The Wildlife Conservation and Restoration Program provides funding for wildlife conservation projects, wildlife conservation education, and wildlife-associated recreation activities. The program benefits the diverse array of wildlife and associated habitat, including species that are not hunted or fished, to fulfill the unmet needs of wildlife. State Fish and Wildlife Departments with a comprehensive plan approved by the Secretary of the Interior can participate in the program. Local and state agencies are encouraged to partner with their state Fish and Wildlife Departments. Contact your state Fish and Wildlife Department for more information on project eligibility. To contact the Fish and Wildlife Department in your state go to [www.iafwa.org/documents/State and Provinces Directory.PDF](http://www.iafwa.org/documents/State_and_Provinces_Directory.PDF). Contact: Gary Reinitz, Policy Branch Chief, US Fish and Wildlife Service, [Gary\\_Reinitz@fws.gov](mailto:Gary_Reinitz@fws.gov), (703) 358-2159.*

## Wildlife Restoration Act

*Approved by Congress on September 2, 1937, the Act provides funding for the selection, restoration, rehabilitation and improvement of wildlife habitat, wildlife management research and the distribution of information produced by the projects. Congress amended the Act on October 23, 1970, to include funding for hunter training programs and the development, operation and maintenance of public target ranges. Funds are derived from an 11 percent Federal excise tax on handguns. Funds are also collected from a 12.4 percent tax on archery equipment. A certain amount of funds (section 4) must be used on hunter education before additional funds (section 10) can be attained. The section 10*

*funds can be used for additional hunter education programs or for wildlife restoration. These funds are apportioned each year to the states and territories (except Puerto Rico) by the Department of the Interior on the basis of formulas set forth in the Act. Apportionments are determined for each state by land area and number of hunting license owners. All funds are disseminated through State Fish and Wildlife Departments. To contact your state Fish and Wildlife Department go to [www.iafwa.org/documents/State and Provinces Directory.PDF](http://www.iafwa.org/documents/State%20and%20Provinces%20Directory.PDF). Contact: Gary Reinitz, Policy Branch Chief, US Fish and Wildlife Service, [Gary\\_Reinitz@fws.gov](mailto:Gary_Reinitz@fws.gov), (703) 358-2159.*

## **NON-PROFIT ORGANIZATIONS**

### **National**

#### America the Beautiful Fund

Dept. 911  
1730 K Street, NW, Suite 1002  
Washington, DC 20006  
[www.freeseeds.org](http://www.freeseeds.org)

*A national nonprofit organization started in 1965 to encourage volunteer citizen efforts to protect the natural and historic beauty of America. In response to the events of September 11th, ABF is currently providing \$1 million worth of flower, vegetable, and herb seeds to plant "Freedom Gardens" across America. Anyone who wants to sponsor or start a Freedom Garden in their community can receive a grant of 100 to 1,000 free seed packets.*

#### The Conservation Fund

1800 North Kent Street, Suite 1120  
Arlington, VA 22209  
[www.conservationfund.org](http://www.conservationfund.org)  
(703) 525-6300      Southeast Regional Office (770) 414-0211

*The Conservation Fund is dedicated to preserving America's land legacy by acquiring and protecting open space, wildlife habitat, and historic sites throughout the nation. Also assists partners with projects that integrate economic development with environmental protection.*

## **Sample Listing of Non-Profit Organizations that Support Parks and Open Space Preservation**

### **LAND TRUSTS (Local)**

#### Chattahoochee Valley Land Trust

[LTA Member](#)

6501 Veterans Parkway, Suite 1-A  
Columbus, GA 31909-3172  
(706) 320-9110 Fax: (706) 327-3746

#### Chattahoochee/Flint River Land Trust

[LTA Member](#)

424 Batten Road  
Bainbridge, GA 39819-6622  
(229) 243-7310 Fax: (229) 243-7310

#### Durand Farm Nature Preserve

75 14th St NE Ste 2500  
Atlanta, GA 30309-3681  
(404) 817-0708

#### Georgia Land Trust

(Formerly Chattowah Open Land Trust)

135 Christopher's Run  
Alpharetta, GA 30004  
(770) 664-0650 Fax: (678) 289-1265

[www.chattowah.org](http://www.chattowah.org)

*The Georgia Land Trust is a private, non-profit organization started in 1994 by conservation-minded citizens as a means for protecting and preserving the state's pristine open space, natural habitat and rich historic values.*

#### Georgia Land Trust Service Center

380 Meigs Street  
Athens, GA 30601  
(706) 546-7507 Fax: (706) 613-7775

[www.GEPInstitute.com](http://www.GEPInstitute.com)

*The Georgia Environmental Policy Institute is dedicated to the development of proactive strategies for a healthy environment.*

#### Georgia Wildlife Federation

11600 Hazelbrand Rd  
Covington, GA 30014-1059  
(770) 787-7887 Fax: (770) 787-9229

[www.gwf.org](http://www.gwf.org)

*To encourage the intelligent management of the life sustaining resources of the earth - its essential water resources - its protective forests and plant life - and its dependent wildlife - and to promote and encourage the knowledge and appreciation of these resources, their interrelationship and wise use, without which there can be little hope for a continuing abundant life.*



Greener Atlanta

180 Blackland Drive  
Atlanta, GA 30342-4404  
(404) 365-9723  
Contact: Marianne McConnel

Gwinnett Open Land Trust

LTA Member Adopted S&P  
3280 Westbrook Rd  
Suwanee, GA 30024-2455  
(770) 945-3111 Fax: (770) 614-0593  
[www.gwinnettlandtrust.org](http://www.gwinnettlandtrust.org)

*We are a local, non-profit, conservation membership organization, committed to the preservation of open and greenspace in Gwinnett County.*

South Peachtree Creek Nature Preserve

P.O. Box 33247  
Decatur, GA 30033-0247  
(404) 321-5460

Southeast Land Preservation Trust

130 Azalea Dr  
Roswell, GA 30075-4804  
(770) 594-9367 Fax: (770) 954-7738  
Area of Operation: Greater Atlanta area, Georgia  
Founded: 1988

Southern Conservation Trust

LTA Member Adopted S&P  
201 McIntosh Trail  
Peachtree City, GA 30269-2128  
(770) 486-7774 Fax: (770) 486-7775  
Area of Operation: Counties south of Atlanta  
Founded: 1993

The Cobb Land Trust, Inc.

LTA Member Adopted S&P  
PO Box 672652  
Marietta, GA 30006-0045  
(770) 955-1303 Fax: (770) 951-9574  
Area of Operation: Cobb County, Georgia  
Founded: 1992

## **LAND TRUSTS (National)**

### American Farmland Trust

1200 18<sup>th</sup> Street NW, Suite 800

Washington, DC 20036

(292) 331-7300

[www.farmland.org](http://www.farmland.org)

*American Farmland Trust is the only nationwide nonprofit organization dedicated to protecting agricultural resources. Founded by a group of concerned farmers in 1980, AFT's mission is to stop the loss of productive farmland and to promote farming practices that lead to a healthy environment.*

### Land Trust Alliance

1331 H Street NW, Suite 400

Washington DC 20005-4734

(202) 638-4725

[www.lta.org](http://www.lta.org)

*Land Trust Alliance is the national leader of the private land conservation movement, promoting voluntary land conservation across the country and providing resources, leadership and training to the nation's 1,200-plus nonprofit, grassroots land trusts, helping them to protect important open spaces.*

### The Trust for Public Land

Atlanta Field Office

1447 Peachtree Street, NE, Suite 601

Atlanta, GA 30309

(404) 873-7306

FAX (404) 875-9099

[www.tpl.org](http://www.tpl.org)

*Trust for Public Land is the only national nonprofit working exclusively to protect land for human enjoyment and well-being. TPL helps conserve land for recreation and spiritual nourishment and to improve the health and quality of life of American communities. TPL pioneers new ways to finance parks and open space; helps generate federal, state, and local conservation funding; and promotes the importance of public lands. TPL helps communities create a "greenprint for growth" by protecting important land that may be threatened by urban or suburban sprawl. The TPL's Conservation Finance Program provides professional, technical assistance services to state and local government executives, legislatures, and public agencies that need to research and evaluate conservation finance options.*



## **OTHER ORGANIZATIONS (Local)**

### Clean Streams

[www.cleanstreams.org](http://www.cleanstreams.org)

*Our Mission- Work to restore our urban waters to their most natural state and educate our elected officials and the general public on the value of these waters to our quality of life. Our Objective – To mount an effective grassroots campaign that will result in Atlanta's antiquated combined sewer infrastructure being replaced with a modern separated system that uses greenways for storm water treatment.*

### Earth Share Georgia

1447 Peachtree Street

Suite 214

Atlanta, GA 30309

(404) 873-3173

Fax (404) 873-3135

[www.efg.org](http://www.efg.org)

*Earth Share of Georgia is an alliance of 60 leading environmental organizations dedicated to protecting our environment and quality of life - locally, nationally and internationally. Earth Share partners with Georgia businesses to encourage employees to give green at work through payroll giving campaigns, volunteer projects and involvement in Earth Day.*

### Georgia Conservancy

1776 Peachtree St. NW, Ste. 400 South

Atlanta, GA 30309

(404) 876-2900

Fax: (404) 872-9229

[www.georgiaconservancy.org](http://www.georgiaconservancy.org)

*Georgia Conservancy works to balance economic and social progress with the protection of our natural resources. We do this by making sure our leaders have information they need to make informed decisions about issues that affect our natural resources and by supporting thoughtful environmental policies at the state level. And we educate all Georgians about choices they can make to ensure a healthy environment for future generations. With The Georgia Conservancy at the table when decisions are made, we can find common ground on the best ways to protect Georgia's natural resources.*

### Georgia Environmental Action Network (GEAN)

[www.georgiaconservancy.org/Home/Home\\_GEAN.asp](http://www.georgiaconservancy.org/Home/Home_GEAN.asp)

*GEAN uses e-mail to fax technology to put you in touch with key decision-makers when they are working on issues such as clean air and water, wilderness, sprawl, traffic and coastal development. You will receive no more than 13 email alerts per year on the most critical conservation issues supported by The Georgia Conservancy and a coalition of other conservation organization.*

Georgia Forest Watch

4 River St., Ste. C

Ellijay, GA 30540

(706) 635-8733

[www.gafw.org](http://www.gafw.org)

*Georgia Forest Watch was formed in 1986 in response to the last forest management plan revision that occurred for the Chattahoochee and Oconee National Forests. Established to monitor the management and impacts to this forest, we are currently working to protect the public forests of north and central Georgia from logging, resource extraction, development, air pollution, roadbuilding, and exotic species. We are also working to add land to these public forests through the Land and Water Conservation Fund (LWCF).*

Georgia Natural Heritage Program

2117 US Hwy 278 SE

Social Circle, GA 30025-4714

(770) 918-6411

[www.dnr.state.ga.us/dnr/wild/natural.html](http://www.dnr.state.ga.us/dnr/wild/natural.html)

*GNHP helps identify and protect outstanding examples of the state's diverse habitats. The program works to conserve Georgia's natural heritage by gathering, analyzing, and distributing information on the state's rare species and natural communities. They work with both state lands and with voluntary landowners.*

Olmsted Linear Park Alliance

P.O. Box 5500

Atlanta, GA 31107

(404) 817-6760

Tally Sweat President

*Established in 1997 as a public-private partnership to ensure the preservation of the Olmsted Linear Park for future generations. Currently is undergoing a campaign to rehabilitate three park segments.*

Sandy Springs Conservancy

Joseph Mayson, Chairman (770) 394-0261

Linda Bain, Communications (770) 396-6216

Email: [ssc@sandysprings.org](mailto:ssc@sandysprings.org)

*The mission of the Sandy Springs Conservancy is to ensure a permanent network of attractive and safe natural areas, open spaces, trails, and parks available for residents, businesses, and visitors. Its flagship project is the development of a riverside park and conservation of 60 acres of property along the Morgan Falls Road corridor.*

**OTHER ORGANIZATIONS (National)**

Community Greens

1700 North Moore Street, Suite 2000

Arlington, VA 22209-1939

(703) 527-8300 x255

[www.communitygreens.org](http://www.communitygreens.org)

*The mission of Community Greens: Shared Parks in Urban Blocks is to catalyze the development of community greens in residential neighborhoods across the United States. They promote and facilitate development of greens by providing successful examples, educational resources, advice and technical assistance, and working with cities to put systems in place that encourage development of community greens.*

Project for Public Spaces (PPS)

153 Waverly Place, 4th Floor  
New York, NY, 10014  
(212) 620-5660 Fax: (212) 620-3821

[www.pps.org](http://www.pps.org)

Project for Public Spaces' is a nonprofit technical assistance, research and educational organization. PPS' mission - to create and sustain public places that build communities - is achieved through programs in parks, plazas and central squares; transportation; public buildings and architecture and public markets;. Since its founding in 1975, the organization has worked in over 1,000 communities, within the U.S. and abroad, helping people to grow their public space into vital community places.

The Conservation Fund

1800 North Kent Street, Suite 1120  
Arlington, VA 22209

[www.conservationfund.org](http://www.conservationfund.org)

(703) 525-6300 Southeast Regional Office: (770) 414-0211

*Land Conservation Partnership Program: helps local, state, and federal agencies acquire property from willing sellers for public parks and open spaces.*

*American Land Conservation Program: assists with the acquisition and protection of unique historic and natural areas of importance to the nations.*

*These sites are then donated to the public agencies as a legacy for future generations.*

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